



JOURNALS  
of the  
HOUSE OF BURGESSES  
of Virginia

1758 -- 1761



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of Virginia



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Williamsburg Dec. 12<sup>th</sup> 1759

Sir

The General Assembly of Virginia has by an Act passed the 15<sup>th</sup> of April 1759, intitled An Act for appointing an Agent a copy of which is herewith enclosed, been pleased to appoint you the Agent of this Colony, & directed their Treasurer to pay you yearly the Sum of £500 Sterling, in full for your Expences & Trouble in the Execution of your Duty.

The Appointment of such an Officer to represent the Grievances of the People, to justify their Conduct to their Sovereign, to obtain his Approbation & Assent to such Laws as their Representatives shall think necessary for their Welfare and good Government, to employ his Assistance in the time of Danger and Calamity, and to protect and explain their Rights & Interest in Parliament, seems to be the natural Privilege of all Colonies so far removed from their King and Mother Country. As the People of this Colony have had the Misfortune always to be disappointed in their Endeavours to attain this Right, tho' universally claim'd, and enjoy'd by all his Majesty's other Colonies and have been oblig'd to depend for these great and important Services on an Agent appointed by the Governor and Council, who for want of the Weight which a national Establishment would have given him, the Authority which must necessarily be deriv'd from every Power of the Legislature, the Instructions when and for what Reasons he should interpose, must have been very deficient in his Duty, when considered as regarding the whole. Besides sometimes different Interests arise amongst the different Branches of

JOURNALS  
of the  
HOUSE *of* BURGESSES  
of  
VIRGINIA  
1758-1761

*Edited by*  
H. R. McILWAINE



*RICHMOND, Virginia*

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# Burgeffes.

Accomac :	Edmund Allen	Halifax :	Robert Wade
	Thomas Parramore		Nathaniel Terry
Albemarle :	Allen Howard	Hampshire :	Gabriel Jones
	William Cabell, Jun.		Thomas Walker
Amelia :	Edmund Booker	Hanover :	Nathaniel West Dan-
	Richard Booker <sup>1</sup>		dridge
Augufta :	John Wilfon		John Syme
	Ifrael Chriftian	Henrico :	William Randolph
Brunfwick :	William Thornton		Bowler Cocke
	Edward Goodrich <sup>2</sup>	James City :	Benjamin Waller
Bedford :	Samuel Hairftone		Lewis Burwell
	Zachariah Burnley	Ifle of Wight :	James Bridger
Caroline :	Edmund Pendleton		Joſeph Bridger
	John Baylor	King George :	Charles Carter
Charles City :	Benjamin Harrifon		Charles Carter, Jr.
	William Kennon, Jun.	King & Queen :	John Robinfon
Chefterfield :	Archibald Cary		George Braxton
	Richard Eppes	King William :	Peter Robinfon
Culpeper :	Thomas Slaughte <sup>3</sup>		Harry Gaines
	William Green	Lancafter :	Charles Carter
Cumberland :	George Carrington		William Ball <sup>4</sup>
	John Fleming	Loudoun :	Francis Lightfoot Lee
Dinwiddie :	Leonard Claiborne, Jun.		James Hamilton
	Robert Ruffin	Louifa :	Thomas Johnfon
Elizabeth City :	William Wager		Thomas Walker <sup>5</sup>
	John Tabb	Lunenburg :	Clement Read <sup>7</sup>
Effex :	John Upfhaw		Matthew Marrable <sup>7</sup>
	Francis Waring	Middlefex :	Ralph Wormeley
Fairfax :	George Johnfton		Thomas Price
	George Mafon	Nanfemond :	Lemuel Riddick
Frederick :	George Waſhington		Willis Riddick
	Thomas Bryan Martin	New Kent :	Richard Adams
Gloucefter :	John Page		Lewis Webb
	Thomas Whiting	Norfolk :	George Veal <sup>8</sup>
Goochland :	Reuben Skelton <sup>4</sup>		John Tatem
	John Payne		

<sup>1</sup> At the ſeſſion of the Affembly held in May, 1760, the governor was notified by the Houſe of Burgeffes of the death of Richard Booker (fee p. 172). Writs for a new election having been iſſued, [John ?] Winn was elected to the feat. He was preſent at the cloſing ſeſſion of the Affembly.

<sup>2</sup> Some time before the 7th of November, 1759, Edward Goodrich accepted the office of ſheriff of Brunfwick (fee p. 138). This fact having been duly announced to the governor, and a new election having been ordered, Mr John Clack was returned.

<sup>3</sup> Mr. Slaughter was appointed ſheriff of Culpeper ſome time before the 5th of November, 1759. At a new election Mr Henry Pendleton was returned in his ſtead.

<sup>4</sup> Mr Reuben Skelton died ſome time before November 1, 1759 (fee p. 135). John Smith was elected to take his place.

<sup>5</sup> Expelled at the ſecond ſeſſion of the Affembly (fee p. 50.) Mr George Heale was elected in his ſtead.

<sup>6</sup> Thomas Walker was elected a burgeſſ by both Hampſhire and Louifa counties. He choſe to ſerve from Hampſhire (fee p. 12). Charles Smith was elected in his ſtead in Louifa.

<sup>7</sup> The election of both Mr Read and Mr Marrable was conteſted, and at the third ſeſſion of the Affembly Mr Marrable was uneate<sup>d</sup> (fee p. 84). He was, however, re-elected.

<sup>8</sup> Mr Veal, having accepted the office of ſheriff (fee p. 135), was ſucceeded by Mr. William Bradley.

Northumberland:	Presley Thornton Spencer Ball	Stafford :	Thomas Ludwell Lee Thompson Mafon
Northampton:	Littleton Eyre John Kendall	Surry :	Hartwell Cocke <sup>3</sup> William Allen <sup>3</sup>
Orange :	Benjamin Cave William Taliaferro <sup>1</sup>	Suffex :	John Edmunds David Mafon
Prince Edward :	Peter Legrand Charles Anderfon	Warwick :	William Digges William Harwood
Prince George :	Richard Bland Alexander Bolling	Westmoreland :	Richard Lee Richard Henry Lee
Princes Anne :	Anthony Walke, Jun. Thomas Walke	York :	Dudley Digges Robert C. Nicholas
Prince William :	Henry Lee Henry Peyton	College of Wil- liam & Mary :	George Wythe
Richmond :	John Woodbridge Landon Carter	Jamestown :	Edward Champion Tra- vis <sup>4</sup>
Southampton :	Benjamin Symmons William Taylor	Norfolk Borough :	William Atchifon
Spotfylvania :	William Waller <sup>2</sup> Zachariah Lewis	Williamfburg :	Mr Attorney (Peyton Randolph)

<sup>1</sup> William Taliaferro accepted the office of coroner (see p. 187), and was succeeded as burgefs by James Taylor.

<sup>2</sup> William Waller died some time before the March feffion, 1760 (see p. 159). Mr. Fielding Lewis succeeded him as burgefs.

<sup>3</sup> Instead of one of these—either Hartwell Cocke or William Allen—William Clinch had been elected a member of this General Assembly. He had been formerly, however, expelled the House, and voted incapable of ever sitting as a burgefs. Therefore a new election was ordered (see p. 5).

<sup>4</sup> Some time before the November feffion, 1759, Mr Travis had accepted the office of coroner (see p. 135). Mr. John Ambler succeeded him. Later on (see p. 159) Mr. Ambler, too, accepted an office of profit under the government and a new election was ordered. Mr Ambler, however, was probably re-elected. Jamestown was at that time practically a "rotten " borough, controlled by the Travis and Ambler families, and a member of the House of Burgefes who accepted an office of profit under the government was, though a new election had to be held, eligible to re-election, unless the office which he had accepted was that of sheriff or coroner. (See Stanard's "Colonial Virginia Register," pp. 9-10.)



## Introductory Note.

WITH the present volume (the fifth of the series) the editorship of the "Journals of the House of Burgesses" passes into new hands. At the outset attention should be called to one or two changes adopted in the presentation of the material other than the text of the Journals themselves.

1. Much of the kind of material that has appeared in the prefaces of former volumes is presented in this volume in an appendix. Here will be found given *in extenso* all the *Draper* MSS. and the *Bancroft* Transcripts of importance bearing dates in the period 1758-1761, the time of the existence of the House of Burgesses the Journals of which are contained in this volume. In addition, there is printed a letter from *James Abercromby* to the Council of *Virginia*, dated *March 25, 1759*. The original is in the *Virginia State Library*. The *Draper* Manuscripts are those collected by that indefatigable student, *Lyman C. Draper*, and now owned by the *State Historical Society of Wisconsin*. The *Bancroft* Transcripts are the copies of documents in the *English Record Office* made for the historian *George Bancroft* when he was collecting material to be used in the preparation of his history of *America*. They are now the property of the *Library of Congress*. Permission to print the *Draper* Manuscripts in this volume has been kindly given by *Dr. Reuben G. Thwaites*, secretary and superintendent of the *State Historical Society of Wisconsin*, and to print the material from the *Bancroft* Transcripts, by *Mr. Herbert Putnam*, Librarian of Congress. Students have here presented to them for the first time in print material of the very highest value. In it much new light is thrown on the history of the period. The matter is given in its entirety, rather than merely such excerpts from it as could be worked into the treatment of the several topics discussed in the preface, because every line of it is valuable, and because, furthermore, it appears to the present editor to be his duty to render accessible to students at large all the hitherto unpublished material that he can collect which throws light on the Journals he is editing. In this volume (taking both the Journals themselves and the illustrative material into account) the sources of information are put before students that will render possible a far more accurate history than has hitherto appeared of what was done by the Colony of *Virginia* in the latter years of the *French and Indian War*.

2. Heretofore it has been the practice in these volumes to print the list of members for each session of the House of Burgesses rather than the list for the whole Assembly once for all. Since the members were elected to membership for the whole period covered by the Assembly, the members for the last session were the same as those for the first, except where, on account of the death of a member or on account of his having rendered himself ineligible to membership by the acceptance of an office under the government or in some other way, a new election had been ordered. Therefore, rather than print the same list  
(with



(with here and there a change) seven times—the Assembly of 1758-61 had seven sessions—it has seemed preferable to the present editor to print it only once and to indicate in notes given at the end of the list the few changes that occurred.

The list is taken from Stanard's "*Colonial Virginia Register*," the original sources of information being a *Virginia "Almanack"* for 1759 in the *Library of Congress* and the Journals themselves. The lists given by Mr. Stanard have been verified by careful comparison with the Journals.

3. In this volume reference to Hening's "*Statutes at Large*" is given for a bill only once—when the bill, having been passed by both houses of the Assembly, was finally signed by the governor and became a law. Each bill that became a law was mentioned in the Journal as a usual thing at least five times; some bills (for instance, those that had to be considered in committee of the whole house once or oftener and those about which there was not agreement by the two chambers) were mentioned more frequently still. If, therefore, reference is made whenever the title of the bill appears in the Journal, the footnotes become excessive. The page has an appearance of accuracy that is so easy to attain as to be objectionable. At the same time the help given the serious student is almost nothing. Accordingly the making of these references has been discontinued. In lieu of them, however, footnotes have been made in the very few cases in which the text has seemed in need of explanation either because of the use of unusual words or the use of what seem to be erroneous words—the error being due to the carelessness of some copyist or printer in the long line of those working on the Journals from the time since they were first recorded by the clerks of the House of Burgesses up to the present. The text here given follows accurately the copy, occasionally a manifest omission being inserted enclosed in brackets, and once in a while, as noted above, emendations being suggested in the footnotes.

## Preface.

OF the General Assembly of *Virginia* of 1758-1761 there were seven sessions. The first session continued from *September* 14, 1758, to the 12<sup>th</sup> of *October* of the same year; the second session, from the 9<sup>th</sup> to the 11<sup>th</sup> of *November*, 1758; the third, from the 22<sup>nd</sup> of *February*, 1759, to the 14<sup>th</sup> of *April*; the fourth, from the first to the 21<sup>st</sup> of *November*, 1759; the fifth, from the 4<sup>th</sup> to the 11<sup>th</sup> of *March*, 1760; the sixth, from the 19<sup>th</sup> to the 24<sup>th</sup> of *May*, 1760; the seventh, from the 6<sup>th</sup> of *October*, 1760, to the 10<sup>th</sup> of *April*, 1761.

The last session of this Assembly is in one respect unique. Extending over a period of more than six months, it had a greater length of life than any other session of the General Assembly up to that time held. The one coming nearest to it in this respect was the last session of the Assembly for 1742-1749, which extended from *October* 27, 1748, to *May* 11, 1749, the business that occupied the attention of the Assembly being the general revision of the laws of the Colony then in force. The explanation of the great length of the session at present under consideration is to be found in the following circumstances:

In 1748 the General Assembly passed a law having the title "*An Act for amending the staple of Tobacco, and preventing frauds in his majesty's customs.*" This law gave in minutest detail regulations for the inspection and shipment of tobacco, the erection of public warehouses, the issue of tobacco notes, the collection of taxes in tobacco, etc. In fact, few possible transactions in this staple failed to receive attention in the law. It covers no less than forty printed pages in *Hening's "Statutes at Large*<sup>1</sup>." Its last provision was that it should continue in force "for and during the term of four years, and from thence to the end of the next session of Assembly." In *February*, 1752, this act, a few amendments having been made to it, was renewed, to continue in force "until the 20<sup>th</sup> of *October*, in the year of our Lord, one thousand seven hundred and sixty, and from thence to the end of the next session of Assembly."<sup>2</sup> The most important business, then, before the Assembly that met the 6<sup>th</sup> of *October*, 1760, was the revision and renewal of this law, which undoubtedly affected the material welfare of the Colony to a greater extent than did any other law on the statute books. Business of so great importance could not be rushed through the House of Burgesses, and the General Assembly could not conveniently remain in session late in *October*, the month for the meeting of the General Court, composed of the governor and the Council. Hence on the 20<sup>th</sup> of *October* an adjournment was had till the 11<sup>th</sup> of *December*, and then, the Assembly coming together for a few hours, a further adjournment was had till the 5<sup>th</sup> of the following *March*. At that time the members went to work with a will, and finally passed an act to continue the law, with a few amendments, for a further period of three years. It was, accordingly, to prevent the confusion that would arise if this law expired in the absence of a suitable substitute that the very unusual course was taken of adjourning for a long period. Under ordinary circumstances there would have been a prorogation instead of an adjournment on the 20<sup>th</sup> of *October*, and also on the 11<sup>th</sup> of *December*.

The text here presented of the Journal of the House of Burgesses for the first session of the Assembly follows a transcript of a printed Journal in the *Public Record Office* in *London*. This Journal, as were the Journals of all the sessions of the Assembly of 1758-61, was printed in *Williamsburg, Va.*, by *William Hunter*, the public printer for the Colony at that time. The title page has been lost, the text beginning on page 3 and ending on page 57. This is the only printed copy, with text in full, known to be in existence. A mutilated copy in the *Library of Congress* contains only pages 23-30.

The text of the Journal for the second session also follows transcript of a printed Journal in the *Public Record Office*. This copy of the Journal now has no title page; and probably

<sup>1</sup> *Hening*, VI, 154 ff.    <sup>2</sup> *Hening*, VI, 222-227.



probably never had one, since the first page of the text is numbered 1. This is not conclusive evidence, however, for in some of the printed Journals of that period—as we know from the perfect specimens in existence—the page numbers begin with the title page, and in some they begin with the first page of the text.

The text of the Journal of the third session also follows transcript of printed copy in the *Public Record Office*. The title page of this volume is as follows: The | Journal | of the | House of Burgeffes. | MDCCLIX, | Being the third Session of this present | General Affembly | (Vignette: Coat-of-Arms of the Colony) Williamsburg | Printed by William Hunter. MDCCLIX.

In this copy there are, in addition to the title page and the reverse blank page, ninety-four pages of text, the numbering of the pages beginning with the text and not with the title page. There is a copy of this Journal in good condition in the *Library of Congress*.

For the fourth session the text here given follows the text of a printed Journal in the *Library of Congress*. This Journal has, besides the title page and the following blank page, twenty-six pages of text. The title page is exactly similar to the title page of the Journal of the third session, the word "Fourth" being substituted for "Third."

The text for the Journal of the fifth session follows the manuscript copy of the Journal in the *Public Record Office*. A copy of the printed Journal for this session is owned by Mrs. C. W. Coleman, of Williamsburg, Va. It contains fourteen pages.

For the sixth session the printed copy of the Journal in the possession of Mrs. C. W. Coleman, of Williamsburg, Va., has been followed. No other copy of this Journal, either in manuscript or in print, has been found. It contains thirteen pages.

For the seventh session the printed copy in the *Public Record Office* has been followed. This copy has lost its title page. The paging originally began with the title page. There were ninety-seven pages in all. There is a copy of this Journal in the *Library of Congress*, and it is in good condition.

The period of the Journals contained in this volume was one of fierce war. The mightiest colonial struggle probably ever engaged in was being carried on between *England* and *France* for the possession of territory now the seats of empires. This contest was world-wide, embracing in its sphere not only the continent of *America*, with its adjacent islands, but *Europe* itself, distant *India*, and the waters of the sea. Directed by her great statesman, *William Pitt*, *England* emerged from the conflict victorious at every point. *Pitt*, as no other man could have done, was enabled to organize and make effective use of the full fighting force of the heterogeneous *British* possessions, and at the same time to collect from the *British* tax-payer sums sufficient to pay to *Frederick* the Great the subsidies that made it possible to keep in the field those splendid *Prussian* armies which at the same time that they were winning imperishable glory for themselves and their renowned leader were in reality fighting *England's* battles as well, by rendering it impossible for *France* to withdraw from the *European* theatre of action adequate forces to enable her to meet *England* on equal terms in *America*, and impossible, also, to devote needed money to the maintenance of her navy. Animated either directly or indirectly by *Pitt's* great spirit, the *English* themselves, the *Irish*, the *Scotch* clansmen, the tribesmen of *India*, the Colonists of *America*, and even the *American* red men—not a few of them—combined to wage a contest the importance of which can with difficulty be overestimated.

In the Journals before us we see the efforts made by that constituent of the *British* realm known as the Colony of *Virginia* to bear her full part in the mighty struggle. When with the coming of *Francis Fauquier* as lieutenant-governor of *Virginia* in 1758—the governor was Lord *Loudoun*, at that time commander-in-chief of his majesty's forces in *America*—the Assembly of 1758-1761 was called together, the war had already been waged for several years; *Braddock* had met with disastrous defeat; the frontiers of *Virginia* had been harried by the merciless savage allies of *France*; and by an extraordinary effort made in the earlier part of the year, the *Virginia* forces in the field had been increased

increased to two regiments of a thousand men each, which, under the command of *Washington*, were to join in the proposed expedition to be conducted by General *Forbes* against Fort *Duquesne*. The main business of the Assembly convened by Lieutenant-Governor *Fauquier* was during its first session to provide ways and means for the payment of these soldiers till the first of *December* of that year (the limit of the time for which one-half of them had been enlisted) and for the continuance of the other half in service till the first of the following *May*, since it was thought that it would be imprudent to disband all the regular forces exclusive of the rangers on the first of *December*. At this session, too, four companies of rangers were provided for, who were not to leave the Colony, but were to protect the frontiers in the absence of the two regiments on the Fort *Duquesne* expedition. The power of the governor to garrison the forts vacated by the regulars with men drafted from the militia was also continued.

It was supposed during this first session of the Assembly that the expedition against Fort *Duquesne* would certainly be concluded by the first of *December*; and in the law continuing one regiment in service till the following *May* it was provided that this regiment should be marched back to *Virginia* and made to do duty on the frontiers from the first of *December* till the expiration of its term of service. Later, however, when it seemed probable that the reduction of Fort *Duquesne* would be delayed, it became necessary for the governor to call the Assembly together again, in order that appropriate legislation might be had with the view of preventing the withdrawal of the *Virginia* forces from the expedition at the critical moment. The second session of the Assembly began on *Thursday* the 9<sup>th</sup> of *November*. Its only business was to pass a law providing that the first regiment might be continued in the service outside of the Colony till the first of *January*, and that the second regiment (which, as stated above, had enlisted to serve only till the first of *December*) might be employed in the same service if its members could be prevailed upon to continue with the colors. Fortunately the campaign against Fort *Duquesne* ended on the 26<sup>th</sup> of *November* with the occupation by the *British* and Colonial forces, under the immediate command of *Washington*, of the site of Fort *Duquesne*, the fort itself having been abandoned and set on fire by the *French* on the preceding day.

When the Assembly began its third session, on the 22<sup>nd</sup> of *February*, 1759, a feeling of great satisfaction prevailed among its members, one of whom was *George Washington*, who, having resigned his command, had taken the seat in the House of Burgesses to which he had been elected from the County of *Frederick*. The cloud of war had passed from the horizon formed by the *Virginia* boundaries. Since, however, the assistance of *Virginia* troops would be needed in driving the *French* from their remaining strongholds and in garrisoning those already captured from them, the governor in his opening address asked that as many men be kept by the Colony in the field as had served under the *Virginia* standards the preceding year. His request was met, however, only in part. Provision was made for filling the ranks of the regiment then in the pay of the Colony and for continuing it in service till the first of *December* following; and, in order that the frontiers of the Colony might not be left defenseless if this regiment should be marched away to be employed in offensive operations against the *French*, an additional force of five hundred men was provided, the four companies of rangers enlisted according to the law of the preceding *September* having by this time been disbanded. The act passed in 1757 for better regulating and disciplining the militia was continued. The main provisions of this act<sup>1</sup> were that all the white male inhabitants of the Colony (a few classes being excepted) should be considered as members of the militia; that each member was to supply himself with proper arms, unless it should be certified that he was a pauper (in which case arms were to be supplied at the public expense); and that the militia, formed into companies under proper officers, were to have company drills once in three months and general county musters twice a year. The act passed the same year (1757) for making provision against invasions and insurrections<sup>2</sup>, whereby the governor was in time

<sup>1</sup>Hening VII, 93-106.

<sup>2</sup>Hening VII, 106-116.



time of exigency empowered to levy such a force from the members of the militia as he might think proper, and whereby the officers of the militia of the several counties were empowered to march on their own responsibility their forces out of their home counties, was also continued. Later on in the session, the members of the two houses were prevailed on to pass an act providing that two hundred of the additional five hundred men provided for by the first act of the session, who, according to that act, were to remain in the Colony, should be employed as artificers and joined to the regiment allowed to serve away from home.

This session came to an end by prorogation on the 14<sup>th</sup> of *April*, 1759, the date set for re-assembling being the first *Thursday* in *August*. The Assembly did not, however, convene till the first of *November*. At that time, though *Niagara*, *Ticonderoga*, *Crown Point*, and, most important of all, *Quebec*, had fallen, yet the *French* had not been absolutely routed, and, more disquieting still, war was threatened with the *Cherokee Indians*. Hence the governor asked in his opening address that provision be made for continuing in the service the fifteen hundred men provided for by the Assembly at its last session. This request was in part acceded to. The regiment was continued in service till the first of the following *May*. But it was provided that only four hundred of them should be allowed to act in conjunction with his majesty's forces outside of *Virginia*, and that the remainder were to be employed in defending the frontiers of the Colony. Till these could be marched from the north to take their assigned positions, the three companies already employed on the frontiers were to be continued in service.

The *Cherokee Indians* were evidently the principal cause of alarm. These *Indians* had hitherto for several years been acting as the allies of the *English*. A number of them were in the army of General *Forbes* in the successful expedition against Fort *Duquesne*. But very unfortunately when, at the close of the campaign, these were returning home through the frontier territory of *Virginia*, they could not be restrained from taking such horses as they could lay their hands on, and the frontiermen, attacking them, slew several and captured others. It was but natural that they should retaliate. Moreover, they were especially incited to retaliation by the *French*, many of whom, on the capture of Fort *Duquesne*, had found their way down the *Ohio* River and up the *Tennessee* to the country of the *Cherokees* (which was, broadly speaking, the territory now embraced in Eastern *Tennessee* and Western *North Carolina* and in the adjacent portions of *South Carolina*, *Georgia*, and *Alabama*). Accordingly, they commenced a series of outrages along the frontiers—especially the frontiers of *North* and *South Carolina*. But Governor *Lyttleton*, of *South Carolina*, marching against them with a force collected from his colony, entered into an agreement with them which for a short while delayed the breaking out of war on a large scale. Hence at the *March*, 1760, session of the *Virginia* Assembly the only military expenditures authorized were for the continuance of the regiment in service till the first of the following *November* and for the continuance of three companies of 100 men each in service after that time should the governor deem it desirable. This business being attended to, the governor prorogued the Assembly to the first of *June*.

According to the agreement made by Governor *Lyttleton* with the *Cherokees*, twenty-two *Indians* were to be kept in Fort *Prince George* as hostages till the delivery to the *English* of a like number of their brethren charged with murder. When Governor *Lyttleton* with his troops left the vicinity of Fort *Prince George*, the *Cherokees* made an attack on the fort for the purpose of rescuing these hostages, and killed several officers. In a rage the garrison, falling upon the hostages, butchered them to a man. After this, war was on in all its fury. Fort *Loudoun*, situated about thirty miles from where *Knoxville*, *Tennessee*, now stands—this fort had been built in 1756 by Major *Andrew Lewis* at the command of Lord *Loudoun*—was at once invested by them, and its garrison, consisting of two hundred *British* troops, was reduced to extremity. The plan of General *Amherst*, commander-in-chief of the *English* forces in *America*, was that Colonel *Montgomery*,



gomery, with a force of *British* regulars and Colonial troops, should invade the *Cherokee* country from the south-east, while a force from *Virginia* should proceed down the *Clinch* and *Tennessee* rivers and attack what were known as their "Over Hill" towns—that is, their towns beyond the mountains, in the valley of the *Tennessee* River. The *Virginia* Assembly was called hurriedly together in *May*, 1760, and a law was passed providing for the raising of seven hundred men, who were, with the three hundred already stationed in the south-western part of the Colony, to march at once to the relief of *Fort Loudoun*. Before, however, this force could be gotten together, the force under Colonel *Montgomery* had finished its campaign by relieving *Fort Prince George* and defeating the *Cherokees* in a pitched battle. It had been found by this force impossible, however, to penetrate to *Fort Loudoun*, and Colonel *Montgomery* gave up the attempt. After this, since it would have been folly for the small *Virginia* force to essay the execution of its part of the general plan, *Fort Loudoun* was left to its fate. The garrison, in a starving condition, finally surrendered, favorable terms having been granted them. But the terms were not kept. When they had marched out of the fort, they were surrounded and many of them massacred, the rest being captured and held for ransom. When the Assembly met in *October*, however, no comprehensive plan for waging offensive war against the *Cherokees* had been formulated. Hence the only troops provided for were the one thousand of the regiment already in service. All of these, it was ordered, should serve within the limits of the Colony. Payment for these troops was provided till the following *April*. But on the 31<sup>st</sup> of *March* of the same session a bill was approved by the governor for providing for the maintenance of the regiment till the first of *December*. According to this act the governor might use the regiment outside the Colony if he thought proper. The plan now proposed by General *Amherst* was to engage in a campaign against the *Cherokees* similar in outline to the campaign of the year before. Colonel *Grant*, with a force of regulars and *South Carolina* provincials, was to invade the *Cherokee* country from *Charleston*, and the *Virginia* forces, under Colonel *Byrd*, assisted by troops from *North Carolina*, if the *North Carolina* Assembly could be prevailed upon to send them, were to march down the *Tennessee* Valley. The results of the campaign were similar to those of the year before. *Grant*, with an adequate force, defeated the *Cherokees* of the lower towns; Colonel *Byrd*, with a force too weak to advance far into the enemy's country, did little beyond rendering protection to the frontier. The correspondence of Colonel *Byrd* and General *Amherst* and that of Colonel *Byrd* and Governor *Fauquier*, given in the appendix to this volume, tells the story in detail. Though peace was not made with the *Indians* immediately after their defeat by Colonel *Grant*, with this defeat the *Indian* war was practically at an end. The war with the *French* in *America* had been at an end for some months.

Associated with the war measures adopted by the Assembly—in fact, a part of them—were the measures for raising money. Throughout the whole period of the war the taxes were excessively heavy, having been largely increased along all lines. Practically every kind of tax ever devised by the ingenuity of law-making bodies was levied. There were direct taxes and indirect taxes. There were land taxes and poll taxes and license taxes. There were taxes on imports and taxes on exports. It was very early found necessary, however, to anticipate the collection of taxes by the issue of treasury notes. These notes were issued for a definite time, and provision was made for their redemption by the laying of special taxes, which at the end of the time during which the notes were to pass current were to be collected and applied to their retirement. Not only were these notes receivable for taxes, but they were also made a legal tender in private monetary transactions. Provision was made for the first issue of them in *May*, 1755. After this an increase was authorized at every meeting of the Assembly except two till the session held in *October*, 1760. Though at this session money had to be raised for filling the ranks of the regiment then in service and for continuing it in service, the necessity for issuing treasury notes was happily at an end. The supply of money that Parliament had voted the king in 1757 to be paid the colonies of *North Carolina*, *South Carolina*, and *Virginia*, together with the further supply voted in 1758 to be paid all the colonies, was

at that time available. The amount allotted *Virginia* was in round numbers £52,000. The whole question of the note issue has been treated in the preface to the Journals of the House of Burgesses for the Assembly of 1761-65, the volume immediately preceding this volume in the present series.

In that preface, too, have been treated the very interesting laws passed during this period allowing the inhabitants of the Colony to discharge their public dues in money instead of tobacco. These laws furnished the occasion, as is well known, for many among the clergy to show what has been considered by some a grasping spirit ill-becoming gentlemen of the cloth. In considering the attitude of the clergy, however, we should not look merely at one side of the question. It is true that the scarcity of tobacco rendered that commodity more valuable than it had been, and that the demand of the clergy for their exact number of pounds may have had in it an unworthy element of selfishness; but, on the other hand, it is also true that the inflation in general prices, the result of the excessive issue of treasury notes, was such as to reduce the purchasing power of the salaries paid in money far below what in equity it should have been.

But the clergy were by no means the only inhabitants of the Colony at that time against whom the charge of selfishness may lie. Human nature was the same then as it is now. An examination of the various measures of taxation resorted to in the progress of the war discloses an interesting example of the laying of a protective tariff under the guise of a measure designed to increase revenue, and an example of the selfishness fostered by such a system. In *May*, 1755, an additional duty of ten *per cent.* was laid on slaves imported into the Colony. The duties already imposed on them amounted to about ten *per cent.* All these duties were renewed in 1757, to continue for seven years. The rate was so heavy as to cause a marked falling off in the number of slaves imported, but the price of those in the Colony advanced, of course, to the extent of the duty imposed, with the result of increasing the wealth of the large land-holders and slave-holders and of rendering it more difficult for the small farmers to extend their operations. Earnest efforts were made by the latter to break the monopoly thus created, but it was not until 1760 that these efforts were crowned with success. In the *May* session of that year, the provision to take off the ten *per cent.* additional tax was attached as a rider to the bill for raising troops for the *Cherokee* Expedition. To the last those who profited by the duty fought for its retention<sup>1</sup>.

To be classed with the war measures is an act passed in *September*, 1758, to repeal the law of 1755 granting rewards to persons for bringing in the scalps of *Indian* enemies killed within the limits of the Colony. The debates held in the Assembly were, unfortunately, never reported, and unless a bill was brought in as the result of a petition—the main points of petitions are always given in the Journals—the reasons for the passage of the bill can, in the absence of information other than that contained in the Journals, be merely guessed at. Those bills that became laws are given in *Hening's "Statutes,"* and, in their preambles the objects sought to be attained by those voting for them are usually set forth. But the preamble of this particular act merely states that the law to be repealed "hath been found not to answer the purposes thereby intended"—a declaration giving next to no information. When, however, we turn to the Journal for the proceedings of the day on which the bill was first introduced<sup>2</sup>, though we find that the bill did not arise out of a petition, the bare record being "Upon a Motion made, Ordered, That Leave be given to bring in a Bill for repealing an Act," etc., there is described in the preceding paragraph of the Journal a transaction that is illuminative. A petition had been handed in by sundry inhabitants of *Bedford* County setting forth that the *Cherokee Indians* had committed depredations upon them, and praying that soldiers be stationed in the county for the protection of the inhabitants and that the inhabitants be allowed to retaliate on the *Indians*. This seemingly reasonable request was flatly refused, and no reason given. It should be remembered, however, that the *Cherokees* were at that time in alliance with the *English* and that many of them were with General *Forbes* on his advance

<sup>1</sup> Appendix to this volume p. 284.

<sup>2</sup> See p. 8.



advance toward Fort *Duquesne*. The motive, then, prompting the House to refuse the petition was the desire to prevent the breaking of this alliance. The same motive may be given for the repeal of the law. It was, no doubt, felt that the inhabitants of the frontiers, in their desire to obtain the rewards offered, might not be careful enough to distinguish between friends and enemies and that such a want of discrimination might be destructive of the highly valued alliance. Policy, probably, rather than humanity, was behind the law.

The truth is that the vast majority of the measures of a general nature considered by this Assembly had a direct relation to the dominant fact of the time, namely, the great war which the whole *English* speaking world was putting forth every effort to bring to a successful conclusion. If the Journals, in their usual tantalizing meagreness of statement, fail to bring out the relation, it may yet sometimes be discovered on an examination of the acts themselves as given in *Hening's "Statutes."* Take, for instance, the Act for encouraging Arts and Manufactures, passed in *April, 1759*. The preamble of this act states that the improvement of arts and manufactures "may be of singular advantage to this Colony in its present distressed situation, by encouraging families to remove and settle here." The act itself proceeds to name trustees whose duty it shall be to promote the development of arts and manufactures in every way possible, but especially by the payment of premiums to such persons as may invent useful processes. The feeling was, evidently, that strenuous exertions should be made for building up the waste places and for making good the drain occasioned by the war both in men and money.

And this feeling, no doubt, had its weight in bringing about the passage of the Act for appointing an Agent, though in this case it finds no specific expression in the preamble of the act, and though Governor *Fauquier* in his letter to the *Board of Trade* assigns to it a different origin. He says that the act resulted from the desire on the part of the members of the House of Burgesses to have some one to represent them in *England* in case there should arise in the future a dispute similar to that of Governor *Dinwiddie's* days in reference to the pistol fee. Then a special agent had to be sent over at great expense to lay before the authorities in *England* the views of the people of *Virginia*. The governor and Council already had an agent in *England*, but the agent named by this act was to represent the Colony as a whole. The act was passed in *February, 1759*, and *Edward Montague*, of the *Middle Temple*, was by it appointed agent. He was to be under the direction of a committee of correspondence, who were to transact such business with him as was committed to them by the General Assembly. The committee was, when required, to lay all of their correspondence with the agent before the General Assembly. In case *Edward Montague* refused to act, the committee was empowered to appoint some one in his stead, who was to be approved by the Assembly at its next meeting; or in case he proved to be unfuitable, he might be removed by the committee and another appointed, who, as in the first instance, was to be approved by the Assembly. The committee was composed of members both of the Council and of the House; and the law clearly indicates that the committee was to be under the absolute control of the General Assembly. The *Board of Trade*, however, affecting to think the provisions of the law somewhat loosely drawn and to fear that the power given the committee was too great, the king in council instructed Governor *Fauquier* to inform the General Assembly that the act would not be allowed unless amended. Accordingly, at the last session of this Assembly an amendment was made to it, providing that the person to be appointed by the committee in case of the refusal of *Montague* to serve, or in case of his subsequent removal, must first have been endorsed by the governor, and should hold office only till the next meeting of the General Assembly.

Passing now to a brief consideration of what may be called the usual routine business of the Assembly—that kind of business transacted in times of peace as well as under stress of war—attention may first be drawn to the great number of claims acted on, the number being much larger than usual as a direct result of the war. These claims were sometimes

<sup>1</sup> *Hening VII, 288.*

<sup>2</sup> *Appendix, p. 288.*

sometimes considered at once by the whole House, and sometimes referred to special committees; but when the sessions were long and the various standing committees were appointed, they were referred to the Committee of Public Claims. This committee was far the busiest one of the House. It had power to send for persons and papers and to make searching examination into all matters presented for its consideration. In every case except one of the merest routine (such, for instance, as the consideration of a claim for taking up a runaway), the committee would report its finding to the House, which would then usually instruct the committee, in accordance with the report, to set down a certain amount in the Book of Claims. The claims were so numerous that a large book was required for their enrolment. Toward the close of the session the whole book would be approved by the House and sent up to the Council. When approved by that branch, it was returned to the House and then sent to the governor.

Much of the time of the Assembly was also consumed in the consideration of private bills. For instance, several acts were passed to dock the entail of certain pieces of land described therein, that is, to bring the land from under the operation of the law of entail; and several acts were passed to allow trustees or executors to make a specified disposition of the property under their management. In such cases it was usual for the law to have the proviso attached that it should not go into effect till the king's approbation should be obtained. There were three or these acts, however, which did not contain the proviso, the explanation of the omission being that the result effected in each case was, in the opinion of the members of the Assembly, merely one that could have been brought about by resort to the courts, the law-making body having been applied to merely that time might be saved. In such cases it was held by members of the Assembly that the proviso was unnecessary. The form, however, was insisted on by the king in council. Governor *Fauquier* was instructed to repeal these acts. They, accordingly, had all to be passed again, with the proviso added.<sup>1</sup> In this transaction, as in the instance on an amendment to the Agent's Act, is to be seen proof of the closeness with which the proceedings of the Assembly were watched by the authorities in *England*.

Of bills of a local nature may be mentioned those for establishing ferries and those also for establishing towns. Several of the towns authorized to be founded at that time are still in existence—notably, *Woodstock*, of the bill for the establishment of which, *George Washington*, the member from *Frederick*, was very appropriately the patron.

Of peculiar interest are the proceedings in reference to various vestries of the established church. Petition after petition poured into the Assembly praying in individual cases for their dissolution. Some of these were rejected; others, granted. The following is a list of the vestries that were dissolved, together with the reasons given for the action taken: The vestry of the Parish of *Hamilton* in the County of *Prince William* (the reason being that the vestrymen, who seemingly could not keep the peace with each other, petitioned the Assembly for a dissolution); *Antrim*, in *Halifax*; *Cameron*, in *Loudoun*; *Bath*, in *Dinwiddie*; *Saint Patrick*, in *Prince Edward* (all these because guilty of illegal practices, and in the case of *Saint Patrick* a Dissenter being a member of the vestry); *Saint Anne*, in *Albemarle* (because the vestry was not legally elected); *Christ Church*, in *Lancaster* (since it consisted of twenty-four members instead of twelve); *Suffolk*, in *Nansemond* (on account of the misapplication of charity funds intended by their donors to be used only in one part of the parish); the Parish of *Elizabeth River*, in *Norfolk County* (because guilty of illegal practices). The very great number of petitions asking for the dissolution of vestries and the large number of laws passed in accordance with the wishes of the petitioners give some insight into the condition of the church establishment at that time. This, it should be remembered, was the era of Samuel Davies and the rapid spread of dissent in the interior counties of the Colony, as distinguished from the frontier counties, the inhabitants of which had from the earliest period of their settlement been largely Dissenters. In fact, the period of the French and Indian War is recognized by those who have made a study of the question as being the one in which the fight made by Dissenters for rights of toleration was practically won.

In

<sup>1</sup> See p. 184.



In nearly every instance bills originated in the House of Burgesses, but they might originate in the Council. Take, for instance, the bill<sup>1</sup> passed by the Council on the 20<sup>th</sup> of November, 1759, "to establish a method to preserve the Credit of the Paper Currency of this Colony." This bill, however, received short shrift in the House.

Another very interesting bill that failed of passage was one, introduced at the closing session of the Assembly, for removing the seat of government from *Williamsburg* to some place more convenient to the majority of the inhabitants of the Colony. This bill did not even pass the House of Burgesses, and if it had done so, it would, according to the report made by Governor *Fauquier* to the Board of Trade<sup>2</sup>, have been killed in the Council. The great attention, however, that it received may be inferred from the fact that it was considered in committee of the whole house no fewer than four times. Only the most important matters were considered in committee of the whole house, and very few so considered received the attention of the committee as frequently as did this one. It was defeated by only one vote, the yeas being 35 and the nays being 36. We have the governor's authority, too, for saying that the majority of the members really wished to remove the seat of government, but that all knew that no place could be fixed upon for the capital in case they did vote to remove it. The location of the capital was a matter indifferent to the governor, but he notified the Board of Trade that if they thought it advisable to keep the capital at *Williamsburg* the end might be effected by the appointment to the Council of a majority of its members from the neighborhood of that city.

The relations between Governor *Fauquier* and the House of Burgesses seem to have been most pleasant. Differences of opinion sometimes, indeed, arose, but they were expressed in the language of courtesy on both sides, a language which in this case did not conceal an undue irritation of feeling, for each had confidence in the honesty of purpose of the other. And Governor *Fauquier* was enough of a diplomat to know when to give way. That he correctly gauged the feeling of independence which even at that period characterized the *Virginians*, is shown by the fact that in 1759 or 1760 he warned Mr *Pitt* that any taxation laid upon the colonies by the *English* Government would lead to the most serious disturbances. It was only about five years after this that Governor *Fauquier* found it necessary to dissolve the *Virginia* Assembly on the passage by the House of Burgesses of *Henry's* famous resolutions against the Stamp Act.

H. R. McILWAINE.

<sup>1</sup> See p. 151.

<sup>2</sup> Appendix, p. 294.

<sup>3</sup> Gordon, W., "Rise, Progress and Establishment of the Independence of the United States," I, 136.



# JOURNAL

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# HOUSE OF BURGESSES

1758





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3

Thursday, the 14th of September, 32 Geo. 11. 1758.

NINETY-THREE Members having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, took their Places in the House.

A Message from the Governor was delivered by Mr Walthoe.

*Gentlemen of the House of Burgesses,*

*The Governor commands your immediate Attendance in the Council Chamber.*

The House went up accordingly, and the Governor was pleased to say to them,

*Gentlemen of the House of Burgesses,*

*You must return again to your House, and immediately proceed to the Choice of a Speaker, and present him to me To-morrow in this Place.*

Being returned, Mr Landon Carter put the House in Mind of the Governor's Commands to proceed to the Choice of a Speaker, and did nominate and recommend John Robinson, Esq; who was Speaker of the late Assembly, a Gentleman who had given undeniable Proofs of his Abilities, Integrity and Fitness to execute that important Trust; and he was accordingly unanimously elected Speaker, and conducted to the Chair by two Members, from whence he made a Speech, expressing the just Sense he had of the Obligations they had laid him under, and returned them his Thanks for the Honor they had conferred on him.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

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4

Friday, the 15th of September, 32 Geo. 11. 1758.

A Message from the Governor by Mr Walthoe.

*Gentlemen of the House of Burgesses,*

*It is the Governor's Pleasure, that your House immediately attend him in the Council Chamber, and present your Speaker.*

And accordingly the House went up with their Speaker Elect, and the Governor was pleased to express his particular Approbation of their Choice. Mr Speaker then, in Behalf of the House, petitioned the Governor that they might enjoy their ancient Rights and Privileges, such as Freedom of Speech and Debate, Exemption from Arrests, and Protection

Protection for their Estates; and lastly for himself, that no Mistakes of his might be imputed to the House.

To which the Governor answered, *That he should take Care to defend them in all their just Rights and Privileges.*

Being returned, Mr Speaker reported, that the House had attended the Governor in the Council Chamber, and presented their Speaker, and that he was pleased to approve their Choice, and then made a Speech to the Council and this House, of which he had, to prevent Mistakes, obtained a Copy, which he read, and afterwards delivered in at the Table, where it was again read, and is as follows:

*Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,*

*I have deferred calling you together as long as the Exigencies of Government would permit me, being desirous of accommodating your particular Affairs to the Concerns of the Public, as much as possible; and if these had not demanded it, I should not have given you this Trouble now, merely to notify to you, in this Place, His Majesty's Appointment of me to succeed to the Honorable Robert Dinwiddie, Esq; as Lieutenant-Governor of this his Colony and Dominion of Virginia, an Honor and Trust conferred on me to which it behoves me to pay the greatest Attention and Regard.*

*That I may, in some Measure, merit this Honor, and answer to this Confidence which His Majesty has most graciously been pleased to repose in me; it becomes equally my indispensable Duty to provide for the Prosperity and Well-being of this Colony, and to promote the Honor and Dignity of His Majesty and the Crown of Great Britain in all its Branches and Appendages. If I, on my Part, steadily pursue the First, I make not the least Doubt, from the many great and recent Proofs you have given of your Fidelity and unshaken Loyalty, but that you, on your Parts, will heartily and chearfully concur with me in all Measures which may tend to establish and strengthen the Last*

*It is my earnest Wish that a perfect Harmony may at all Times subsist between us; and to this Purpose it shall be my constant Endeavour to consult the Happiness of the People committed to my Charge, by taking Care that effectual and speedy Justice be rendered to all His Majesty's Subjects in Virginia, as far as in me lies; and by all other Means which may conduce to that desirable End. But whatever Assurances I may give of my future Conduct, I am very sensible that I shall be judged of by my Actions: These are the Test by which you, as reasonable Men, will form your Opinion of me, and will hereafter either give me, or withhold from me your Confidence. To this Test I hope I shall always be willing to submit.*

*By Letters I have lately received from the Army, which I have ordered to be laid before you, it is doubtful whether the great End of our Wishes can be obtained this Year, but the Operations of this Campaign tend at least to prepare Matters for an early Attack the next.*

*Gentlemen of the House of Burgeffes,*

*The Part you have so nobly taken in the present War, by granting the large Sums of Money you have done, in Support of His Majesty's Arms, and the common Cause, has given great Satisfaction, and is worthy the Imitation of our neighbouring Colonies; but sorry am I to say, that the Sums already given, great as they are, are insufficient for the Purposes for which they were designed, and for the Services actually entered upon, and more will be necessary to make good the Deficiencies now subsisting from the Expences already incurred: I am confident that the bare mentioning these Circumstances will be a sufficient Inducement to you to have the greatest Attention to the Distress of our Country; and I hope that what is necessary to be raised, will be done in the Manner the least burthensome possible to the People.*

*Gentlemen of the Council and of the House of Burgeffes,*

*I would not willingly detain you long at this Time, yet my Inclinations to serve this Colony are so ardent that I cannot help recommending one Thing to you, which, from the many Representations that have already been made to me (short as the Time is since my Arrival here) appears to me to demand and merit your most serious Consideration, and in*

*our*



*our present Situation not to admit of the least Delay, as the Defence of the Colony, the Protection of the Property, nay the very Lives of our People, depend upon it; I mean the Revival of the Militia Law, which, notwithstanding the many Alterations it has undergone, and Amendments it has received, still wants some great Regulations to make its Use for the Defence of the Colony bear some Proportion to the Expence it creates. The Letters which I have received on this Subject, and my Answers to them, shall be ready to be laid before you whenever you shall call for the same.*

*Unanimity and Dispatch give Vigor to all public Resolutions; on this Account I earnestly recommend them to you, and they will also most assuredly bring with them the additional Pleasure of your being able, by their Means, to return the sooner to your respective Counties, where your Presence, if not necessary, will certainly be acceptable.*

6 *Resolved, That an humble Address be made to his Honor the Governor, to return him Thanks for his kind Speech at the Opening of this Session, to congratulate him on his safe Arrival into this Government, to assure him how great our Expectations are of Peace and Harmony from the Plan which he has been pleased to declare shall be the Rule of his Administration, and with how much Pleasure we shall repose an entire Confidence in his steady Adherence to it; and that he may depend on our Cheerful Concurrence with him in every Measure within our Power that can contribute to the Honor and Dignity of his Majesty, and the Prosperity and Well-being of this Colony.*

*Ordered, That a Committee be appointed to draw up the said Address, and it is referred to Mr Thomas Lee, Mr Richard Henry Lee, Mr Attorney, Mr Landon Carter, Mr Bland, and Mr Thompson Mason, to prepare and bring in the same.*

*Resolved, That this House will take the Governor's Speech into Consideration To-morrow.*

*Ordered, That the Reverend Mr William Yates be appointed Chaplain to this House, and that he attend to read Prayers every Morning at Ten o'Clock.*

*Ordered, That William Francis, Thomas Broadrib, James Lavie and James Yates, be appointed Door-Keepers to this House, and that they give their Attendance accordingly.*

*Upon a Motion made,*

*Ordered, That all such Claims and Propositions as were referred from the last to this Session of Assembly, and also all such Claims and Propositions as shall be certified to this Session of Assembly (except such as relate to the Militia drawn out into actual Service) be referred to the Consideration of the next Session of Assembly.*

*Upon a Motion made,*

*The Journal of the House of Burgesses, at a Session of Assembly held the 26<sup>th</sup> day of April, 1757, was read, and it appearing therein that William Clinch (now returned to serve in this present General Assembly as a Burgess for the County of Surry) was then expelled the House, and voted incapable forever of sitting or voting in the House of Burgesses, it was thereupon*

*Ordered, That the said William Clinch be expelled this House, and that he be forever hereafter rendered incapable of sitting or voting in this House.*

*Ordered, That an Address be made to the Governor to order a new Writ to issue for the electing a Burgess, to serve in this present General Assembly, for the County of Surry in the Room of the said William Clinch, and that Mr Bowler Cocke do wait on him with the said Address.*

7 *A Petition of fundry Inhabitants of the County of Prince George, setting forth, that by Reason of the short Crops of Tobacco made this Year, it will be impossible for them to discharge their public Dues and Taxes that are to be paid in Tobacco, and must therefore (unless relieved by this House) be subject to the most vexatious and oppressive Exactions of the public Collectors, and praying that an Act may pass for paying all public, County and Parish Levies, and Officers Fees, in Money, for this present Year, at such a Price as by the House shall be thought reasonable, was presented to the House and read.*

*Ordered*

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Bland* to prepare and bring in the same.

A *Petition* of fundry Inhabitants of *Prince Edward* County, setting forth, That by Reason of the great Drought but little Tobacco or Grain will be made in that County this Year, and praying that an Act may pass to state the Price of their public Taxes payable in Tobacco at 12s. 6d. per Hundred, and to prohibit all Persons from demanding more than 2s. per Bushel [for Wheat, and 8s. per Barrel for *Indian* Corn or other Grain, was presented to the House and read.

*Ordered*, That the said Petition do lie on the Table.

Several *Claims* of *William Robins*, *David Via*, *William Price*, *David Smith*, *William Robertson*, and *Stephen Garrett*, for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

A *Petition* of fundry Inhabitants of the several Counties of *Charles City*, *Chesterfield*, *Henrico*, and *Hanover*, praying that an Act may pass to subject all Overseers to the Payment of Part of all public Taxes accruing on the Plantation and Hands under their Care, in Proportion to the Share of the Crop they are to receive, to be retained by their Employers; and also to prohibit People from dealing with Overseers for any Commodity made on the Plantations over which they are placed, without Leave from their Employers, under certain Penalties, was presented to the House and read, and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Saturday, the 16th of September, 32 Geo. 11, 1758.

Several *Claims* of *John Brown*, *John Smith*, and *John Vaughan*, *Paces Turner*, Assignee of *Joseph Godwin*, *Thomas Barbour*, *Tilman Weaver*, Assignee of *Jacob Weaver*, *Valentine Bethel*, *George Neavill*, *Samuel Boush*, *James Thrailkild*, *William Jett*, *Francis Thornton*, *Richard Payne*, *William Johnston*, *John Jones*, Assignee of *James Herndon* and *John Tankersley*, for taking up Runaways therein mentioned.

Also a *Claim* of *Thomas McClanahan*, for a Horse impressed & killed in his Majesty's Service.

Also a *Claim* of *Martin Hardin*, for 172 lbs. of Tobacco levied on him by the last public Levy in the County of *Prince William* for a Runaway taken up and said to belong to him by Mistake, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

The several *Petitions* of *Chrisley Bumgardner* and *Philip Lawrence*, setting forth, That they have respectively suffered great Losses by the *Cherokee Indians*, who on their Return from the Frontiers of this Colony called at their Plantations, and forcibly took from them their Goods to a considerable Value, and praying the Consideration of this House, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to Mr *Martin*, Mr *Cocke*, Mr *Cary*, and Mr *Randolph*; that they do examine into the Allegations of the said Petitions, respectively, and report the same, with their Opinion thereupon, to the House.

A *Petition* of *William Terrell Lewis*, setting forth, That he had two Hogheads of Tobacco burnt in *Crutchfield's* Warehouse, which he was prevented from certifying to the Commissioners, appointed to take and state Accounts of the Sufferers by Tobacco burnt in the said Warehouse, by Reason of his being in his Majesty's Service on the Frontiers

of



of this Colony, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr Cabell, Mr Richard Lee, Mr Pendleton, Mr Baylor, and Mr Syme; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Petition of the Vestry of Hamilton Parish in the County of Prince William, setting forth, That several Members of the late Vestry have vacated their Seats, and the new Vestrymen elected in their Places refuse to serve, and praying that the said Vestry may be dissolved and a new one elected, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr Henry Lee and Mr Lemuel Riddick to prepare and bring in the same.

Mr Bland presented to the House, according to Order, a Bill For Payment of County and Parish Levies, and Officers Fees, in Money, and the same was read the first Time, and ordered to be read a second Time.

A Petition of Richard Riddle, setting forth, That he was a Soldier in the Virginia Regiment, and in the Month of June last he unfortunately lost all the Fingers of one of his Hands, when he was discharged as unfit for Service, and praying the Consideration of this House, was presented to the House and Read.

*Ordered*, That the said Petition be referred to Mr Pendleton, Mr Richard Lee, Mr Baylor, and Mr Braxton; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Petition of James McDaniel, setting forth, That he was a Soldier in Capt. Polson's Company of the Virginia Regiment, and in the Engagement with the Enemy at the Monongahela, at the Defeat of General Braddock, he received a Wound in his Arm which rendered him incapable of procuring a Livelihood, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr Read, Mr Marrable, Mr Bland, and Mr Cary; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon to the House.

9 Upon a Motion made,

*Ordered*, That a Committee be appointed to examine into what Laws have expired since the last Session of Assembly, and to inspect such temporary Laws as will expire at or soon after the End of this Session of Assembly, and report the same, with their Opinion thereupon, to the House; and that the said Committee consist of the following Persons, viz., Mr Landon Carter, Mr Pendleton, and Mr Bland.

A Petition of sundry Inhabitants of the County of Culpeper, praying that a Town may be laid off and established on the Land of Robert Coleman in the said County, was presented to the House and Read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

*Ordered*, That a Committee of Privileges and Elections be appointed of the following Persons, viz.

Mr Attorney,

Mr Charles Carter,  
Mr Landon Carter,  
Mr Randolph,  
Mr William Digges,  
Mr Harrifon,  
Mr Benjamin Waller,  
Mr Lemuel Riddick,  
Mr Wythe,  
Mr Thomas Lee,  
Mr Richard Henry Lee,

Mr Bland,  
Mr Pendleton,  
Mr Page,  
Mr Dudley Digges,  
Mr Nicholas,  
Mr Whiting,  
Mr Woodbridge,  
Mr Presley Thornton,  
Mr George Masons  
and Mr Baylor.

And

And they are to meet and adjourn from Day to Day, and examine in the first Place all Returns of Writs for electing Burgeffes to serve in this present General Assembly, and compare the same with the Form prescribed by Law; and to take into their Consideration all such Matters as shall or may come into Question touching Returns, Elections and Privileges, and to report their Proceedings, with their Opinions thereupon, from Time to Time, to the House. And the said Committee is to have Power to send for Persons, Papers, and Records for their Information.

*Resolved*, That five of the said Committee be a sufficient Number to make a Committee.

*Resolved*, That in all Cases of controverted Elections to be heard at the Bar of this House, or before the Committee of Privileges and Elections, the Petitioners do by themselves, or by their Agents, within a convenient Time, to be appointed either by the House or the Committee of Privileges and Elections, as the Matter to be heard shall be before the House or the said Committee, deliver to the Sitting Members, or their Agents, Lists of the Persons intended by the Petitioners to be objected to who voted for the Sitting Member, giving in the said Lists the several Heads of Objection, and distinguishing the same against the Names of the Voters excepted to; and that the Sitting Members do by themselves or their Agents, within the same Time, deliver the like Lists on their Part to the Petitioners or their Agents.

*Ordered*, That Mr Palmer be appointed Clerk to the Committee of Privileges and Elections.

A *Petition* of Mr Henry Blgrave, complaining of an undue Election and Return of Mr Clement Reade, and Mr Matthew Marrable, to serve as Burgeffes in this present General Assembly, for the County of Lunenburg. 10

Also a *Petition* of Mr John Meade, complaining of an undue Election and Return of Samuel Hairstone and Zachariah Burnley, to serve as Burgeffes in this present General Assembly, for the County of Bedford, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Committee of Privileges and Elections; That they do examine into the Allegations of the said Petitions, and report the same, as they shall appear to them, with their Opinions thereupon, to the House.

A *Petition* of fundry Inhabitants of Bedford County, setting forth, That the *Cherokee Indians* have of late committed many Insults, and forcibly taken from them their Goods and praying that some Companies of Soldiers may be stationed amongst them for their Protection, and that they may be at Liberty to kill and destroy them, was presented to the House and read, and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill for repealing an Act passed in the thirtieth Year of his present Majesty's Reign, intituled, *An Act for the more effectual preventing and repelling the hostile Incurfions of the Indians at Enmity with the Inhabitants of this Colony*, and it is referred to Mr Cary, Mr Bland, and Mr George Mason to prepare and bring in the same.

Mr Thomas Lee reported, That the Committee appointed had, according to Order, prepared an Address to the Governor, which he read in his Place, and afterwards delivered in at the Table, where the same was again twice read, and agreed to, and is as follows:

*May it please your Honor,*

*We his Majesty's most dutiful and loyal Subjects, the Burgeffes of Virginia, now met in General Assembly, beg Leave to return your Honor our sincere Thanks for your kind Speech at the Opening of this Session, and heartily to congratulate you on your safe Arrival into this Colony.*

*The Tendernefs your Honor hath expressed for this Colony in general, the Regard you have shewn to this Assembly in particular, by endeavouring to accomodate our Affairs to the*

*Concerns*



*Concerns of the Public, claims our most grateful Acknowledgements as Representatives of the People, and as private Individuals.*

*When we reflect on the Happiness that naturally results from a mild, harmonious, and just Administration, we form to ourselves every pleasing Expectation from that Plan of Government which your Honor has declared shall be the Rule of your Conduct, and we shall repose an entire Confidence in your constant and steady Adherence to it. In the mean Time, give us Leave to congratulate our Country upon this fresh Instance of our Sovereign's indulgent Attention to its Tranquillity and Welfare in the Choice of a Governor so determined to pursue Measures, which must necessarily promote the one, and establish the other.*

*It is in some Degree an Alleviation under our present unhappy Circumstances to hear from your Honor, that our Endeavours have been approved, and we could heartily wish that we were not now prevented, by an aggravated Poverty, from continuing to bear the same Proportion we have hitherto done, in Support of the common Cause; but, that our Duty and Inclination to promote the Honor and Dignity of his Majesty, and the Prosperity and Well-being of this Colony, may be always properly demonstrated by our Actions, we do assure your Honor, that we will concur with you in every Measure within our Power that can contribute to those desirable Ends.*

*Ordered, That the said Address be fairly transcribed and presented by the whole House.*

*Ordered, That the Committee who prepared the same wait on the Governor to know his Pleasure when they shall attend his Honor to present it.*

*The Order of the Day being read, for the House to take the Governor's Speech into Consideration.*

*Resolved, That this House will take the said Speech into their Consideration on Monday next.*

*And then the House adjourned till Monday Morning Eleven o'Clock.*

## Monday. the 18th of September. 32 Geo. II. 1758.

**O**RDERED, That the Treasurer of this Colony lay his Accounts before the House. Upon a Motion made,

*Ordered, That a Committee be appointed to examine into and settle the Accounts of William Hunter, Printer, for his Materials, and printing and binding the late Emissions of Treasury Notes, and that it consist of the following Persons, viz., Mr Charles Carter, Mr Landon Carter, Mr Attorney, Mr Wythe and Mr Benjamin Waller.*

*A Petition of fundry Inhabitants of that Part of the Parish of Suffolk, in the County of Nanfemond, called the lower Parish, complaining of fundry illegal Proceedings in the Vestry of the said Parish, and praying that the same may be dissolved.*

*Also a Petition of fundry of the Vestry and other Inhabitants of that Part of the said Parish of Suffolk, formerly called Chuckatuck, in Opposition to the said Petition, were severally presented to the House and received.*

*Ordered, That the said Petitions be referred to the Consideration of the next Session of Assembly.*

*A Petition of fundry Inhabitants on the Branches of Rappahannock Creek, in the County of Richmond, in Opposition to a Petition to be presented to this House, for discontinuing a public Warehouse for the Inspection of Tobacco at the Head of the said Creek, called Beckwith's Warehouse.*

*Also a Petition of fundry Inhabitants of the Parish of Antrim, in the County of Halifax, complaining of Neglect, Mismanagement, and illegal Proceedings of the Vestry in the said Parish, and praying that the same may be dissolved, were severally presented to the House and read.*

*Ordered, That the said Petitions be referred to the Consideration of the next Session of Assembly.*

Upon

Upon a *Motion* made,

*Ordered*, That the Committee to whom the Petitions of *Chrisley Bumgardner*, and *Philip Lawrence* were Yesterday referred, be discharged from proceeding thereon; and that the said Petitions be referred to the Consideration of the next Session of Assembly.

Several *Accounts* of *Charles Ellis* and *William Pryar* for Goods forcibly taken from them by the *Cherokee Indians*, were severally presented to the House and received.

*Ordered*, that the said Accounts be referred to the Consideration of the next Session of Assembly.

Mr *Pendleton* reported, That the Persons to whom the Petition of *Richard Riddle* was referred, had examined into the Allegations thereof and found them to be true, and had come to a Resolution thereupon which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said *Richard Riddle* ought to be allowed by the Public the Sum of five Pounds as a Recompence for his Loss hitherto, and the further Sum of five Pounds a Year during his Life for his future Support.

Mr *Thomas Lee* reported, That the Committee appointed had, according to Order, waited on the Governor to know his Pleasure when the House should attend him with their Address, and that he was pleased to appoint this Day, and to say he would send a Message to the House when he was ready to receive it.

Several *Claims* of *Hays Whitloe*, *William Rayborn*, *Mitchell Baughn*, and *Elizabeth Gay*, for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

A Message from the Governor was delivered by Mr *Walthoe*,

Mr *Speaker*,

*I am commanded by the Governor to acquaint this House that his Honor is now ready to receive their Address in the Council Chamber.*

Mr *Speaker* with the House went up, and being returned reported, That he had with the House attended the Governor in the Council Chamber and presented the Address of this House to him, to which he was pleased to answer:

*Your affectionate Address claims my most hearty Thanks, which I return you with great Sincerity.*

*It shall be my constant Care to exert myself to procure Happiness to this Colony, and hope my Conduct herein will never give you cause to withdraw that Confidence you have so generously promised me.*

*It gives me great Satisfaction, as a Friend to this Colony, to receive your Assurances of doing all in your Power to promote the Honor and Dignity of his Majesty, and the Prosperity of Virginia.*

*I take this Opportunity of congratulating you on the Success of his Majesty's Arms against Louisburg, an authentic Account of which, from Admiral Boscawen, I received last Night.*

Mr *Henry Lee* presented to the House, according to Order, a Bill For dissolving the Vestry of *Hamilton Parish* in the County of *Prince William*, and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *Thomas Hall*, praying to be allowed for a Hoghead of Tobacco burnt in *Bolling's Point Warehouse*, in the County of *Dinwiddie*, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee to whom the Petition of *William Terrell Lewis* was referred on *Saturday* last; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Mr



Mr Attorney, from the Committee of Privileges and Elections, reported, that the Committee had had under their Consideration several Writs for electing Burgeffes to serve in this present General Assembly, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Returns of the several Writs for electing Burgeffes for the Counties of Albemarle, Augusta, Charles City, Chesterfield, Culpeper, Cumberland, Elizabeth City, Fairfax, Frederick, Goochland, Gloucester, Henrico, James City, Isle of Wight, King George, King and Queen, Middlesex, Northampton, Norfolk, Northumberland, Orange, Princess Anne, Prince George, Prince William, Richmond, Southampton, Spotsylvania, Stafford, Surry, Suffex, Westmoreland, and York; the Return of the Writ for electing a Burgefs for the College of William and Mary, and for James Town, are made in the Form prescribed by Law.

*Resolved*, That the Returns of the Writs for electing Burgeffes for the Counties of Accomack, Amelia, Bedford, Brunswick, Caroline, Dinwiddie, Effex, Hanover, Halifax, King William, Lancaster, Loudoun, Lunenburg, Nansmond, New Kent, Prince Edward, Warwick; the Return of the Writ for electing a Burgefs for the Borough of Norfolk, and the Return of the Writ for electing a Citizen for the City of Williamsburg, are not made in the Form prescribed by Law.

*Ordered*, That the Returns of the several Writs for electing Burgeffes for the several Counties last mentioned, except the Counties of Effex and Loudoun, be amended by the Clerk at the Table.

The House being informed that the Sheriff of Effex was attending at the Door.

*Ordered*, That he amend the Return of the Writ for electing Burgeffes of the said County in the Office.

*Ordered*, That the Sheriff of Loudoun, be sent for in Custody of the Serjeant at Arms to amend his Return.

A Bill For Payment of County and Parish Levies, and Officers Fees, in Money, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill on Wednesday next.

14 The Order of the Day being read for the House to take into their Consideration the Governor's Speech.

*Resolved*, That this House will take the said Speech into Consideration To-morrow.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill For settling the Rents of Warehouses and Inspectors Salaries, for the ensuing Year, and it is referred to Mr Bland and Mr Bolling, to prepare and bring in the same.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill to amend the Act intituled *An Act for preventing fraudulent Gifts of Slaves*, and it is referred to Mr Pendleton and Mr Lewis, to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 19th of September. 32 Geo. II. 1758.

A New Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A Message from the Governor was delivered by Mr Walthoe.

Mr Speaker,

The Governor has commanded me to lay before your House several Letters from General Forbes

Forbes, Colonel Washington, Colonel Byrd, and Colonel Mercer, being the same his Honor mentioned in his Speech.

*Ordered*, That the said Letters lie on the Table.

The Order of the Day being read for the House to take into their Consideration the Governor's Speech.

*Resolved*, That this House will resolve itself into a Committee upon the said Speech immediately.

*Ordered*, That the several Letters this Day laid before the House by the Governor's Command, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee upon the said Speech and Letters, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Speech and Letters under their Consideration, and had come to a Resolution thereupon, which they had directed him to report to the House, and he read the same in his Place, and then delivered it in at the Table, where the same was again twice read, and agreed to by the House as follows:

*Resolved*, That the Act intituled, *An Act for the better regulating and disciplining the Militia*, ought to be amended.

*Ordered*, That a Bill or Bills be brought in pursuant to the said Resolution, and it is referred to Mr *Charles Carter*, Mr *Richard Henry Lee*, Mr *Nicholas*, Mr *George Mason*, Mr *Thompson Mason*, Mr *Bland*, Mr *George Johnston*, Mr *Henry Lee*, Mr *Pendleton*, Mr *Thomas Lee*, Mr *Gaines*, and Mr *Cary*, to prepare and bring in the same.

Mr *Carter* also reported That the Committee had directed him to apply to the House for an Address to the Governor to desire that his Honor would be pleased to cause the Accounts of Monies disbursed for the Pay of the Forces of this Colony; also the several Letters relative to the Militia Law, mentioned in his Honor's Speech, to be laid before the House. 15

*Ordered*, That an Address be made to the Governor pursuant thereto, and that Mr *Charles Carter*, do wait on him with the same.

Mr *Carter* also informed the House that the Committee not having Time to go through the Governor's Speech, had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech To-morrow.

Mr *Thomas Walker* who is returned to serve in this present General Assembly, as a Burgess for the two Counties of *Hampshire* and *Louisa*, this Day made his Election of the County of *Hampshire*, and thereupon,

*Ordered*, That an Address be made to the Governor to order a new Writ to issue for the electing a Burgess to serve in this present General Assembly for the County of *Louisa* in the Room of the said *Thomas Walker*, and that Mr *Thomas Johnson* do wait on him with the said Address.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 20th of September. 32 Geo. II. 1758.

MR *Charles Carter* reported that he had, according to Order, waited on the Governor with the Address of this House Yesterday ordered, and that his Honor was pleased to answer he would send the Letters therein mentioned to the House this Day.

A *Petition* of *Thomas Gray*, setting forth, That he has been employ'd in the Service of this Colony in the *Virginia* Regiment these two Years past, 'til lately he by Accident fell from a Fort and thereby becoming a Cripple is rendered incapable of procuring a Livelihood, and, praying the Consideration of this House, was presented to the House and read.

*Ordered*



*Ordered*, That the said Petition be referred to Mr *Landon Carter*, Mr *Bland*, and Mr *Martin*, that they do examine into the Allegations thereof, and report the same with their Opinion thereupon to the House.

Mr *Charles Carter* reported that he had according to Order waited on the Governor with the Address of this House, to desire that his Honor would be pleased to order the Accounts of the Monies disbursed for the Pay of the Soldiers, Rangers and *Indians*, in the Service of this Colony, to be laid before the House, to which his Honor said he would send an Answer after he had seen the Council.

Mr *Bland* presented to the House according to Order a Bill, For settling the Inspectors Salaries and the Rents of the public Warehouses for the ensuing Year, and the same was read the first Time and ordered to be read a second Time.

Mr *Cabbell* reported that the Persons to whom the Petition of *William Terrell Lewis* was referred, had examined into the Allegations thereof and found them to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read and agreed to by the House as follows:

*Resolved*, That the said *William Terrell Lewis* ought to be paid by the Public for 2000 Pounds of Tobacco burnt in *Crutchfield's* Warehouse, at the Rate of 15 s. per Hundred.

Mr *Landon Carter* reported that the Committee appointed had according to Order examined what Laws have expired since the last Session of Assembly, and inspected such temporary as will expire at or soon after the End of this Session, and had come to several Resolutions thereupon, which he read in his Place and afterwards delivered in at the Table, where the same were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee that the Act of Assembly made in the Twenty-fifth Year of His present Majesty's Reign intituled, *An Act for further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and other Purposes therein mentioned*, which will expire on the 12<sup>th</sup> Day of *April* next, ought to be further continued.

*Resolved*, That it is the Opinion of this Committee that the Act of Assembly made in the Twenty-eighth Year of His present Majesty's Reign intituled, *An Act for reviving an Act, intituled, An Act for preserving the Breed of Sheep*, which will expire at the End of this Session of Assembly, ought not to be continued.

*Resolved*, That it is the Opinion of this Committee that the Act of Assembly made in the Twenty-eighth Year of His present Majesty's Reign intituled *An Act for establishing Pilots and regulating their Fees*, which expired at the End of the last Session of Assembly, ought to be revived.

*Resolved*, That it is the Opinion of this Committee that the Act of Assembly made in the Twenty-ninth Year of His present Majesty's Reign intituled *An Act for appointing a Treasurer*, which will expire at the End of this Session of Assembly, ought to be continued.

*Resolved*, That it is the Opinion of this Committee that the Act of Assembly made in the Thirtieth Year of His present Majesty's Reign intituled, *An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, which will expire the 8<sup>th</sup> Day of *June*, ought to be continued.

The first Resolution being read a second Time, and the Question put that the House agree thereto with an Amendment,

*Resolved* in the Affirmative.

The second and two last Resolutions being also read a second Time, and the Question put that the House agree thereto,

*Resolved* in the Affirmative.

The third Resolution being also read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

*Ordered*

*Ordered*, That a Bill or Bills be brought in pursuant to the several Resolutions of the Committee as agreed to by the House, and it is referred to the said Committee to prepare and bring in the same.

A Message from the Council was delivered by Mr Walthoe.

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Mr Speaker,

*The Governor has commanded me to lay before your House the several Letters mentioned in his Honor's Speech which he has received relative to the Militia Law.*

*Ordered*, That the said Letters be referred to the Committee appointed to bring in a Bill for amending the Act intituled *An Act for the better regulating and disciplining the Militia*.

A Petition of fundry Inhabitants of the Parish of *Overwharton*, in the County of *Stafford*, complaining of divers oppressive and illegal Proceedings in the Vestry of the said Parish, and praying that the same may be dissolved, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

Mr Attorney from the Committee of Privileges and Elections reported, that the Committee had had under their Consideration the Petition of *Henry Blagrove* to them referred, complaining of an undue Election and Return of Mr *Clement Read* and Mr *Matthew Marrable*, to serve as Burgesses in this present General Assembly for the County of *Lunenburg*, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table where they were again twice read, and agreed to by the House as follow:

*Resolved*, That the Petitioner and sitting Members be at Liberty to examine Witnesses before *Daniel Claiborne*, *Richard Whitton*, *Thomas Tabb* and *Joseph Williams*, of the said County, Gentlemen, or any three of them, touching any Treats or Entertainments given by the sitting Members or their Agents, to the Freeholders of the said County, after the Writ for electing Burgesses for the said County was issued, and touching any riotous or illegal Proceedings at the Time of the Election.

*Resolved*, That the Petitioner and Mr *Marrable* be at Liberty to examine Witnesses before the same Persons touching the said Mr *Marrable's* engaging by writing under his Hand to do something extraordinary for the Freeholders of the upper Settlement in the said County, or to forfeit a large Sum of Money, in order to gain their Votes.

*Resolved*, That the Petitioner do give to the sitting Members respectively, or their Agents, ten Days Notice of the Time and Place he intends to examine his Witnesses, and that he then give them Notice of the Nature of any riotous or illegal Practices of the sitting Members, or others concerning which he intends to examine Witnesses before the said Commissioners. And in Case the sitting Members or either of them shall examine any Witnesses, that they do give the Petitioner the like Notice of the Time and Place of such Examination; and that the said Commissioners do return all the Depositions to the next Session of Assembly.

Mr Attorney also reported that the said Committee had had under their Consideration the Petition of *William Mead*, a Freeholder of the County of *Bedford*, to them referred, complaining of an undue Election and Return of Mr *Samuel Hairstone* and Mr *Zachariah Burnley*, to serve as Burgesses in this present General Assembly for the County of *Bedford*, and had come to several Resolutions thereupon, which he read in his Place and then delivered in at the Table, where the same were again twice read, and agreed to by the House with an Amendment, as follow:

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*Resolved*, That the Petitioner and Mr *Burnley* be at Liberty to examine Witnesses before *Robert Barber*, *Benjamin Howard*, and *John Phelps* of the said County, and *William Megginson* of the County of *Albemarle*, Gentlemen, or any three of them, touching any Treats or Entertainments given by Mr *Burnley* or his Agents to the Freeholders of the said County after the Writ for the electing of Burgesses for the said County was issued.

*Resolved*



*Resolved*, That the Petitioner and Mr *Hairstone* be at Liberty to examine Witneffes before the same Persons touching Mr *Hairstone's* discharging one *Patrick Napier*, a Vagrant, drafted pursuant to an Act of Assembly made in the Twenty-ninth Year of his present Majesty's Reign, intituled, *An Act for granting an Aid to his Majesty for the better Protection of this Colony, and for other Purposes therein mentioned.*

*Resolved*, That the Petitioner and Sitting Members be at Liberty to examine Witneffes before the same Persons touching any Irregularities, or illegal Practices or Proceedings used in taking the Poll at the said Election.

*Resolved*, That the Petitioner do give to the Sitting Members, respectively, ten Days Notice of the Time and Place he intends to examine Witneffes touching the said Election, and that he do then give them Notice of the Nature of the Irregularities and illegal Practices or Proceedings used in taking the Poll at the said Election concerning which he intends to examine Witneffes before the said Commissioners; and in Case the Sitting Members shall examine any Witneffes that they do give the Petitioner the like Notice of the Time and Place of such Examination; and that the said Commissioners do return all the Depositions to the next Session of Assembly.

A Message from the Governor was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governor has commanded me to inform this House that he will order the Commissioners to lay before your House an Account of the Monies disbursed for the Pay of the Soldiers, Rangers, and Indians in the Service of this Colony, for which his Honor has given his Warrants.*

Mr *Charles Carter* reported, That the Committee appointed to examine and settle the Demands made by *William Hunter* for printing Treasury Notes, had had the same under their Consideration, and agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the said Resolution was again twice read, and agreed to by the House, with an Amendment, as follows:

It appears to this Committee, that the said *William Hunter* demands for printing 217 Books of Treasury Notes, containing £212,000, and binding the same, the Sum of £910. 1s. 2d. being one Penny in the Pounds for printing, and two Shillings and Six-pence a Book for the Binding.

It also appears upon stating an Account, allowing the said *William Hunter* three Pence a Sheet for the printing, and all the Expence he was at in procuring necessary Plates, &c. for the Work, that the same will amount to £407. 16s. 9d.

*Resolved*, That the Sum demanded by the said *William Hunter* is extravagant; and that if he be allowed three Pence a Sheet for the printing and binding the said 217 Books, which will amount to £339. 1s. 3d. the same will be a sufficient Satisfaction for his Expence and Trouble in printing and binding the said 217 Books of Treasury Notes.

The Order of the Day being read for the House to resolve itself into a Committee to take into their further Consideration the Governor's Speech.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech To-morrow.

The Order of the Day being read,

The House resolved itself into a Committee upon the Bill, For Payment of County and Parish Levies, and Officers Fees, in Money, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their Consideration, but not having Time to go through the same they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

Thursday.

Thursday, the 21st of September, 32 Geo. II. 1758.

THE House being informed by one of the Members that the Reverend Mr *Jacob Rowe*, Professer of Philosophy in the College of *William and Mary*, did on *Thursday* Evening last, in a public Company speak the following Words, to wit,

"How many of the House of Burgeffes were to be hanged? That every Member who should vote for settling the Parsons Salaries in Money, would be Scoundrels, and that if any Member wanting to receive the Sacrament, was to apply to him, he would refuse to administer it."

*Resolved*, That the said Words are scandalous and malicious, highly reflecting on the Honor and Dignity of the House of Burgeffes, and that the said Mr *Rowe*, in speaking the same is guilty of an open Violation and Breach of the Privileges of this House.

*Ordered*, That the said *Jacob Rowe*, be sent for in Custody of the Serjeant at Arms.

A *Petition* of *John Windell Brown*, setting forth, That he was formerly an Inhabitant on the River *Monongahela*, possessed of a competent Estate for the Support of his Family, which consisted of a Wife and five Children, from whence he was obliged to fly on the first Approaches of the Enemy, and in the Engagement between Colonel *Washington* and the Enemy at the *Great Meadows*, he lost his all: That he then petitioned a former Session for Relief, but was refused any. That he afterwards by the Assistance of some charitable People again settled with his Family on the *South Branch*, from whence in *April*, 1756, he with his eldest Daughter (now a Prisoner in *Canada*) were carried away Captives by the *Indians* to Fort *Du Quesne*, where he suffered very severely from the Cruelties of the *Indians*. From thence he was sent to *Quebec*, and some Time after with other Prisoners to *England*, from whence he is lately returned. That he has suffered extream Hardships, and is now destitute of every Thing, and is through old Age and the Severities he has undergone, rendered incapable of procuring a Livelihood, and praying the Consideration of this House, was presented to the House and read, and the Question being put, that the said *Petition* be referred to Committee,

It passed in the Negative.

*Resolved*, That the said *Petition* be rejected.

Two *Claims* of *Thomas Altwell* for taking up Runaways therein mentioned, were presented to the House and received.

*Ordered*, That the said *Claims* be referred to the Consideration of the next Session of Assembly.

Upon a *Motion* made,

*Ordered*, That a Committee be appointed to examine, state and settle the several Accounts of the Militia drafted and sent out into the actual Service of the Colony, and also the Accounts of the respective Officers who conducted the said Militia to *Winchester*, pursuant to a former Act of Assembly in that Case made and provided, and that it consist of Mr *Bland*, Mr *Pendleton*, Mr *Waller*, Mr *George Johnston*, Mr *Green*, Mr *Henry Lee*, Mr *Lemuel Riddick*, Mr *Carrington*, Mr *Thomas Johnston*, Mr *Walker*, Mr *Lewis*, Mr *Martin*, Mr *Fleming*, Mr *Cary*, Mr *Burwell* and Mr *Ruffin*.

*Ordered*, That any five of the said Committee be a sufficient Number to make a Committee.

Mr *Cary* presented to the House according to Order a Bill, For repealing an Act, intituled, *An Act for the more effectual preventing and repelling the hostile Incurfions of the Indians at Enmity with the Inhabitants of this Colony*, and the same was read the first Time and ordered to be read a second Time.

Mr *Pendleton* presented to the House according to Order a Bill, To amend an Act, intituled, *An Act for preventing fraudulent Gifts of Slaves*, and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of fundry Inhabitants of the County of *Frederick*, setting forth, That they are at present by living at a Distance from one another unable to defend themselves from the sudden Attacks of the Enemy, to obviate which Inconveniences as  
much



much as possible, they are desirous of collecting themselves into a Body and settling together in a Town, and praying that an Act may pass for establishing a Town on the Land of *Lewis Stephens*, of the said County, who hath already laid off a considerable Quantity for that Purpose, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Martin*, Mr *Green*, and Mr *Walker*, to prepare and bring in the same.

A *Petition* of *James Wood* praying, That an Act may pass for enlarging the Town of *Winchester* by adding 156 Lots already laid off adjoining thereto, was presented to the House and read.

*Ordered*, That it be an Instruction to the Committee to whom it is referred, to bring in a Bill, For establishing a Town on the Land of *Lewis Stephens*, that they receive a Clause or Clauses pursuant to the Prayer of the said Petition.

Mr *Landon Carter* reported, That the Persons appointed to examine into the Petition of *Thomas Gray*, had had the same under their Consideration, and had found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said *Thomas Gray* should be put under the Hands of a proper Person, in Order to have his Leg cured, and maintained at the public Expence during his Cure.

The *Order* of the day being read,

The House again resolved itself into a Committee upon the Bill For Payment of County and Parish Levies, and Officers Fees, in Money, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their further Consideration, and made some Amendments thereto, which they had directed him to report to the House, and he read the same in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the House.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

The *Order* of the Day being read, for the House to resolve itself into a Committee to take into their further Consideration the Governor's Speech.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday. the 22nd of September. 32 Geo. II. 1758.

A New Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Mr *Landon Carter* presented to the House, according to Order, a Bill For continuing an Act intituled *An Act for appointing a Treasurer*, and the same was read the first Time, and ordered to be read a second Time.

*Ordered*, That it be an Instruction to the Committee appointed to examine, state and settle the Militia Accounts that they report specially to the House as to such of the said Militia as deserted from the Service.

A *Petition* of *Jacob Rowe* was presented to the House and read, setting forth, That the Petitioner is informed he hath unhappily offended and incurred the Censure of this House by uttering certain contumelious Words of the Members thereof, in Presence of one of them. That he is sincerely sorry for his Offence, which was committed without any evil Intention or Design to derogate from the Dignity and Honor of this House, in a private Conversation at his Friend's House, without knowing the Gentleman then present

present to be a Member, and to which he was too easily and indiscreetly provoked by some rude Expressions used by some of the Company, against that sacred Order to which he belongs. As the only Proof therefore that is now left him that his Offence did not arise from a Want of a due Difference and Respect to this House, he humbly and readily submits himself to their Pleasure.

*Ordered*, That the said *Jacob Rowe* be discharged out of Custody paying Fees.

A *Petition* of *William Hunter*, Printer, praying that his usual Salary as public Printer, which will expire at the End of this Session of Assembly, may be further continued to him, was presented to the House and read.

*Ordered*, That the said *Petition* do lie on the Table.

Mr *Reade* reported, that the Persons to whom the *Petition* of *James McDaniel* (a disabled Soldier) was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and afterwards delivered in at the Table, where it was again twice read, and agreed to by the House as follows:

*Resolved*, That the said *James McDaniel* ought to be paid the Sum of £ 25 by the Public as a Reward for his Services to the Country, and a Recompence for the Losses he has sustained therein.

Mr *Landon Carter* presented to the House, according to Order a Bill, For further continuing an Act intituled *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*.

Also a Bill For continuing an Act intituled *An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*; and the said Bills were read the first Time, and ordered to be read a second Time.

A *Petition* of *Benjamin Grymes*, Gentleman, praying that an Act may pass for establishing a Ferry from a public Quay Lot in the Town of *Fredericksburg* to the Land of Mr *Anthony Strother*, in the County of *King George*.

Also a *Petition* of the Directors and Trustees of the said Town, in Opposition to the said *Petition*.

Also a *Petition* of *James Hunter*, Son and Heir of *William Hunter*, late of the said Town deceased, in Opposition to the same *Petition* of Mr *Benjamin Grymes*.

Also a *Petition* of Sundry Inhabitants of the Counties of *Dinwiddie* and *Chesterfield*, setting forth, That by an Act passed in the twenty-fifth Year of his present Majesty's Reign, Trustees were appointed to receive Subscriptions for building a Bridge over *Appomattox* River, which was accordingly built, and that by the same Act it was declared that the said Bridge should be maintained no longer than it could be done by Subscription; and that the Justices of neither of the said Counties should be obliged at any Time afterwards to build a Bridge over the said River at that Place at the Charge of their Counties, and praying that so much of the said Act as relates to the maintaining the said Bridge no longer than it can be done by Subscription, may be repealed.

Also a *Petition* of sundry Inhabitants of the Town of *Petersburg*, and Counties of *Dinwiddie* and *Chesterfield*, in Opposition thereto.

Also a *Petition* of sundry Inhabitants of *Elizabeth City* County, in Behalf of the Poor of the said County, complaining of sundry illegal Proceedings of the Trustees of *Eaton's* Charity School in the said County.

Also a *Petition* of sundry Inhabitants on both Sides *Roanoke* River, in the County of *Lunenburg*, praying that a Ferry may be established from the Land of *Francis Wagstaff* on the one Side, to the Land of *Richard Palmer* on the other.

Also a *Petition* of *William Royster*, praying that a Ferry may be established from the Land of the Honorable *William Byrd*, Esq; on the North Side of *Roanoke* River to his Land on the South Side:

Also a *Petition* of *Nathaniel Terry*, praying that a Ferry may be established from his Land on the North Side of *Dan* River, in the County of *Halifax*, to the Land of *William Fuqua*, on the South Side thereof.

Also



*Also a Petition of William Roberts*, praying that a Ferry may be established from the Land of *James Cocke*, deceased, on the South Side of the River *Stanton*, in the County of *Halifax*, to the Land of *Richard Banks*, on the North Side thereof.

*Also a Petition of Margaret Boyd*, praying that a Ferry may be established from her Land, on the South Side of *Dan River*, in the County of *Halifax*, to her own Land on the North Side of the said River; were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Consideration of the next Session of Assembly.

A Claim of *Jeconias Randal* for taking up a Runaway therein mentioned.

*Also a Claim of Robert Henning*, for taking up a Defenter from the *Virginia Regiment*.

*Also a Claim of John Strother* for the same Service; were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

The Order of the Day being read, for the House to resolve itself into a Committee to take into their further Consideration the Governor's Speech.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech on Monday next.

Two Claims of *Abraham Venable, Jun.* for the Service of his Waggon and Horses, impressed by Captain *Obadiah Woodson* on the Expedition against the *Shawnee*.

*Also a Claim of William Boyd*, for the same Service, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to Mr *Cary*, and Mr *Legrand*; That they do examine into the Articles thereof, with the Vouchers, and report the same, with their Opinions thereupon, to the House.

A Petition of *William Dobson*, praying to be allowed by the Public for a Runaway Slave of his, whom he out-lawed in due Form, but was found dead in the Woods before she was apprehended, was presented to the House and read, and the Question being put that the said Petition should be referred,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Saturday. the 23rd of September. 32 Geo. 11. 1758.

A New Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration and also subscribed the Test, was admitted to his Place in the House.

The Treasurer, according to Order, laid his Accounts before the House.

*Ordered*, That the said Accounts lie on the Table for the Perusal of the Members of this House.

A Petition of *Thomas Penman*, Keeper of the public Goal, praying that his usual Salary, which will expire at the End of this present Session of Assembly, may be further continued to him, was presented to the House and read.

*Resolved*, That the additional Sum of £15 be paid to the said *Thomas Penman* every Year, over and above his usual Salary of £25.

*Resolved*, That 10 lbs. of Tobacco per Day be allowed the said *Thomas Penman* for every Criminal committed to the said Goal, during such Criminal's Imprisonment, from this Time, to the End of the next Session of Assembly.

Several Claims of *William Johnston* and *James Crain*, for taking up Deserters from the *Virginia Regiment*. Also of *James Mullin*, and *William Barksdale* Affignee of

of *John Burnett*, and *William Johnston*, for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

A *Petition* of *Joseph Starling*, setting forth, That in the Year 1756 being under Sheriff and Collector of the public Levy in *King* and *Queen* County, there remained in his Hands a Depositum of 4521 lbs. and an Half of Tobacco to be by him accounted for at the laying the next Public Levy, which Tobacco he delivered to the respective Inspectors, and received from them the current Price of Transfer Tobacco that Year, amounting to £28. 2s. 4d. That at the last public Levy the aforementioned Depositum was levied of the Sheriff in Tobacco, and the Petitioner not having the Tobacco in his Hands was obliged to answer for the same at the Rate of twenty-one Shillings and Six pence per Hundred, by which he became a Loser £20. 9s. 8d. and praying to be reimbursed for the said Loss.

Also a *Petition* of fundry Persons, Inhabitants on the Rivers *Mattapony* and *Pamunkey*, praying that they may be at Liberty to set Hedges for catching Fish in the said Rivers for their Support in these necessitous Times.

Also a *Petition* of fundry Inhabitants of the several Counties of *Stafford*, *King George*, and *Spotsylvania*, praying that the Act of Assembly intituled *An Act for the establishing County Courts, and regulating and settling the Proceedings therein, for so much thereof as relates to the taxing an Attorney's Fee on Judgments for small Debts recovered by Petition*, may be amended, and that the said Fee may be allowed in all such Judgments, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Consideration of the next Session of Assembly. 25

A *Petition* of fundry Attornies, praying that their Fees may be made distrainable, or some other easy Remedy established for their Recovery, was presented to the House and read, and the Question being put that the said Petition be referred,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of fundry Inhabitants of the County of *Loudoun*, praying, That an Act may pass for establishing a Town on the Land of *Nicholas Minor*, of the said County, agreeable to a Plan thereto annexed, was presented to the House and read.

*Ordered*, That it be an Instruction to the Committee appointed to bring in a Bill, For establishing a Town on the Land of *Lewis Stephens*, in the County of *Frederick*, that they receive a Clause or Clauses pursuant to the Prayer of the said Petition.

A *Petition* of *Abraham Murray*, setting forth, That in Pursuance of Mr President *Blair's* Instructions to him as commanding Officer of the Militia of *Halifax* County, he was engaged 25 Days in riding in that County to the several Forts, and in settling Townships for the Security of the Frontier Inhabitants, and in riding twice to *Williamsburg* on that Occasion, and praying the Consideration of this House for his said Services, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee to whom the Accounts of the Militia drafted out for the Service of this Country are referred, that they do examine into the Allegations thereof, and report the same with their Opinion thereupon to the House.

*Ordered*, That the several Claims of fundry Persons for dieting our friendly *Indians* in their passing through this Colony, be referred to the Consideration of the said Committee.

A *Petition* of *John Smith* was presented to the House and read, setting forth, That he was Captain of a Company upon the unfortunate Expedition against the *Shawnee* Indians, in the Year 1756: After the Misfortune whereof, the House of Burgesses upon an Enquiry made into the Causes thereof, *Resolved*, It was owing to the Misbehaviour of Captain *Woodson*, Captain *Smith* (the Petitioner) Captain *Montgomery* and the Volunteers, and did thereupon address the Governor to stop their Pay, and that they might be



be no more employed in his Majesty's Service. That the Petitioner had no Opportunity of clearing up his Conduct at that Time, being at a great Distance on the Frontiers, but as soon as he heard of it, he waited on the Governor and so far satisfied him of his Innocence, that he was pleased to continue him in the Service; soon after which he was taken Captive by the Enemy. That the Petitioner labours under great Anxiety of Mind on Account of the Censure passed upon him on that Occasion, and having Witnesses now in Town that would fully clear him of any Misbehaviour on that Expedition, he prays that this House will grant him an Hearing.

*Ordered*, That the said Petition be referred to Mr Waller, Mr Lewis, Mr Attorney, Mr Thompson Mason, Mr Francis Lee, and Mr Gabriel Jones, that they do examine into the Allegations thereof, and report the same with their Opinion thereupon to the House.

A Petition of Joseph Evans, setting forth, That in April last he was marched out with the Militia of Prince William County, to garison Fort Loudoun in Winchester, where he accidentally received a Wound in his Leg, which has made him a Cripple, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr Peyton, Mr Martin, and Mr Henry Lee, that they do examine into the Allegations thereof and report the same with their Opinions thereupon to the House.

An ingrossed Bill intituled *An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts in Money, for the ensuing Year*, was read a third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Bland do carry up the said Bill to the Council for their Concurrence.

*And then the House adjourned till Monday Morning Eleven o'Clock.*

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## Monday, the 25th of September, 32 Geo. II. 1758.

UPON a Motion made,

*Ordered*, That Leave be given to bring in a Bill For appointing an Agent, and it is referred to Mr Landon Carter to prepare and bring in the same.

Mr Attorney informed the House that the Commissioners appointed by Act of Assembly, intituled, *An Act for granting an Aid to His Majesty, for the better Protection of this Colony, and for other Purposes therein mentioned*, to examine, state, and settle the Accounts relating to the Expences of the Officers and Men, directed to be raised by the said Act, to them from Time to Time referred, by the Governor or Commander in Chief of this Colony, were attending at the Door in order to render to the House an Account of their Proceedings.

*Ordered*, That the said Commissioners be conducted by the Serjeant at Arms to the Bar of the House, and there deliver in their said Accounts.

Which was done accordingly.

*Ordered*, That the said Accounts do lie on the Table for the Perusal of the Members of this House.

*Ordered*, That Mr Gabriel Jones and Mr Peyton be added to the Committee appointed to examine, state and settle the Accounts of the Militia drawn out into the actual Service of this Colony.

A Petition of Thomas McClanaham, setting forth, That being Commander of a Detachment of the Militia of Prince William County who were ordered out to Fort George, on the South Branch, he was obliged to send an Express down to Henry Lee, Esq; Commanding Officer of the Militia of the said County, and was under a Necessity of furnishing the Express with one of his own Horses which died on the said Journey, and praying to be allowed for the same, was presented to the House and read.

*Ordered*,

*Ordered*, That the said Petition be referred to the Consideration of the last mentioned Committee; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A *Petition* of fundry Inhabitants of the County of *Prince William*, praying that the said County may be divided, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A *Bill* to amend an Act, intituled, *An Act for preventing fraudulent Gifts of Slaves*, was read a second Time, and committed to Mr *Lemuel Riddick*, Mr *Pendleton*, Mr *Bland*, Mr *Attorney*, Mr *Wythe*, Mr *Nicholas*, Mr *Waller* and Mr *Lewis*.

A *Bill* For settling the Inspectors Salaries and the Rents of the public Warehouses, for the ensuing Year.

Also a *Bill* For repealing an Act, intituled, *An Act for the more effectual preventing and repelling the hostile Incurfions of the Indians at Enmity with the Inhabitants of this Colony*.

Also a *Bill* For continuing an Act, intituled, *An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*.

Also a *Bill* For dissolving the Vestry of *Hamilton Parish*, in the County of *Prince William* were severally read a second Time.

*Ordered*, That the said Bills be ingrossed and read a third Time.

A *Bill* For appointing a Treasurer, was also read a second Time, and an Amendment made thereto.

*Ordered*, That the said Bill, with the Amendment, be ingrossed and read a third Time.

The *Order* of the Day being read, for the House to resolve itself into a Committee to take into their further Consideration the Governor's Speech.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech To-morrow.

Several *Claims* of *Richard Vernon*, *William Ashford*, and *Robert Jones* for taking up Runaways, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 26th of September. 32 Geo. II. 1758.

A New Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A *Petition* of *Robert Wright*, setting forth, That he has been for two Years past a Soldier in the Service of this Country but lately lost his Arm by an Accident which has rendered him incapable of procuring his Livelihood, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Landon Carter* and Mr *Willis Riddick*; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

*Ordered*, That Mr *George Johnston* be added to the Committee to whom the Bill to amend an Act, intituled, *An Act for preventing fraudulent Gifts of Slaves*, is referred.

A *Petition* of *Tunstall Banks*, setting forth, That he is seized in Fee Tail of 659 Acres of Land, or thereabouts, in *King* and *Queen* County, commonly called *Mantapike*, and is also seized in Fee Simple of 1000 Acres of Land, in *King William*, lately purchased of one *Beverley Stanard*, and that it will be of great advantage to him and his Posterity to dock the Intail of the said Land in *King* and *Queen*, and to settle the said Land in *King William*



*William* (being of greater Value) to the same Uses, and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Pendleton* to prepare and bring in the same.

An ingrossed *Bill*, intituled, *An Act for appointing a Treasurer*, was read the third Time and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Landon Carter* do carry up the said Bill to the Council for their Concurrence.

A *Petition* of *Clement Read*, setting forth, That by Order of the late Governor *Dinwiddie* he was at great Expence and Trouble, and advanced some considerable Sums of Money in purchasing Provisions for the Forces in the Pay of this Colony, and was obliged to make several long Journeys on that Account, for which he has never yet received any Satisfaction, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee appointed to examine, state and settle the Accounts of the Militia drawn out into the actual Service of this Colony: That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

The Order of the Day being read,

The House again resolved itself into a Committee to take into their further Consideration the Governor's Speech, and the several Letters to the said Committee referred, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Speech and Letters under their further Consideration, and gone through the same, and had come to two Resolutions thereupon, which they had directed him to report to the House, and he read the same in his Place, and afterwards delivered them in at the Table, where they were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee that the Forces now in the Pay of this Colony be continued till the first Day of *December* next.

*Resolved*, That it is the Opinion of this Committee that a Sum not exceeding £20,000 be raised for the Payment of the Arrears now due to the Forces in the Pay of this Colony, and for their Pay until the first day of *December* next.

The first Resolution being read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

The second Resolution being also read a second Time, and the Question put that the House agree thereto, was agreed to by the House, with some Amendments.

Upon a Motion made,

*Resolved*, That this House will resolve itself into a Committee to consider of Ways and Means for raising the Sum of £20,000 pursuant to the said Resolution of the Committee, as agreed to by the House, To-morrow.

Mr *Martin* presented to the House, according to Order, a Bill For erecting a Town on the Land of *Lewis Stevens*, in the County of *Frederick*, and for other Purposes therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

Mr *Bland* reported, That the Committee appointed to settle the Accounts of the Militia drafted out for the Protection and Defence of the Frontiers of this Colony, had had under their Consideration the Accounts of the Militia drafted from the County of *Prince William*, and had agreed upon a Report, and come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the said Resolutions were again twice read, and agreed to by the House, which Report and Resolutions are as follow:

Your Committee having under their Consideration the Accounts of the Militia drafted from the County of *Prince William*, proceed to lay before the House in Obedience to their

Order



Order, the Case of those Soldiers belonging to the said Militia who deserted from the Service; and your Committee beg Leave to inform the House, that on the 4<sup>th</sup> Day of *May* last, the Lieutenant of the said County was ordered by his Honor the President, to raise and send one Hundred of the Militia of the said County under the Command of two Captains to garison Fort *Loudoun* at *Winchester*, and to continue there 'til the 20<sup>th</sup> of *December*. That the said Militia were drafted and sent out according to the said Order, and continued in Garison at Fort *Loudoun* until the 19<sup>th</sup> of *June*, when they were ordered out to the Frontiers on the South Branch of *Potowmack* by Colonel *Washington*. That upon such Orders being given by Colonel *Washington*, *Charles Ward*, *Henry Kelly*, *William Kelly*, *Peter Lawrence*, *John Priest*, *Rawleigh Hopper*, *Anthony Orchard*, *Edward Lawrence* and *Benjamin Neal*, nine Soldiers belonging to the said Militia deserted but after being absent some Days returned to their Duty; and that *John Harris*, *John James*, *Isaac Suttle*, *John Thomas*, *James Davis*, *Joshua Shumake*, *Thomas Carter*, *Humphry Grub*, *Samuel Lutrel*, *John Robertson*, *Moses Hopper*, *Joseph Taylor*, and *Charles Cornwell*, thirteen other Soldiers belonging to the said Militia deserted, and did not return to their Duty. Whereupon your Committee have come to the following Resolutions.

*Resolved*, That the said nine Soldiers who deserted and afterwards returned to their Duty, ought to be paid for the Time they continued in the Service.

*Resolved*, That the said thirteen Soldiers who deserted and did not afterwards return to their Duty, ought not to be paid for the Time they continued in the Service. 30

Upon a *Motion* made,

*Ordered*, That the Committee to whom the several Accounts of *Abraham Venable* and *William Boyd* were referred, on *Friday* last, be discharged from proceeding any further on the said Accounts, and that the same be referred to the Committee appointed to examine, state, and settle the Accounts of the Militia drafted out into the actual Service of this Colony.

And it is further ordered, That all the Accounts against the Public relative to the Expedition against the *Shawnee*, be referred to the Consideration of the said Committee.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For killing Crows and Squirrels, and it is referred to Mr *Thompson Mason* to prepare and bring in the same.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Wednesday, the 27th of September, 32 Geo. II. 1757.

A Member returned upon a new Writ having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Several Claims of *Samuel Bland*, *Samuel Puryear*, *James Grey*, *Garrett Ridley*, *John Puryear*, *John Palmer*, *Lewis Smith*, and *John Street*, Junior, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

A *Petition* of fundry Inhabitants of the County of *Orange*, setting forth, That they were formerly well supplied with Fish in the River *Rapidan*, in that County, which Benefit is now taken from them by a Mill lately erected by Mr *John Willis*, over the said River, and praying that the said Mill may be suppressed.

Also a *Petition* of *Bernard Moore*, complaining of an undue Election and Return of Mr *Peter Robinson* and Mr *Harry Gaines*, and to serve as Burgesses in this present General Assembly, for the County of *King William*.

Also a *Petition* of *John Langhorn*, setting forth, That in the Year 1756, he was Sheriff of *Warwick* County, when a Depositum of 2060 Pounds of Tobacco remained in his Hands

Hands at the laying the County Levy due to the County, for which he was obliged to receive Cash at the Rate of Two-pence a Pound, since which the said Quantity of Tobacco is levied on him though the Price is advanced to 25 s. per Hundred, and praying to be allowed the Difference, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Consideration of the next Session of Assembly.

31 Upon a *Motion* made,

The Journal of the House of Burgesses at a Session of Assembly held the 12<sup>th</sup> Day of May 1757 was read, wherein it appeared that a Committee appointed to examine into the several Accounts from the County-Lieutenants of several Counties for providing the Militia of those Counties with Arms and Ammunition, did amongst other Things agree upon a Report (as to the Arms and Ammunition furnished by the Lieutenant of the County of *King George* for the Militia drafted out of that County) and came to a Resolution thereupon as follows, to-wit,

It appears to us that the Commanding Officer of the County of *King George*, furnished the Militia ordered out of that County with 31 Buckaneer and trading Guns, and 112 Pounds of Shot, amounting in the whole to £38. 7. 4, but it does not appear to us that the said Arms or Ammunition were received or detained for the Use of the Regiment.

*Resolved*, That it is the Opinion of this Committee that the said Arms and Ammunition ought not to be paid for by the Public. And it appearing further in the said Journals, that the Consideration of the said Report was referred to the next Session of Assembly, it was thereupon,

*Ordered*, That the Accounts mentioned in the said Report be referred to the Consideration of the Committee appointed to settle the Accounts of the Militia drafted out into the actual Service of this Colony; that they do examine into the several Articles thereof, and report the same with their Opinions thereupon to the House.

Mr *Landon Carter* presented to the House according to Order a Bill, For appointing an Agent, and the same was read the first Time, and ordered to be read a second Time.

Mr *Charles Carter* from the Committee appointed presented to the House according to Order a Bill, For amending the Act, intituled *An Act for the better regulating and disciplining the Militia*, and the same was read the first Time, and the Question being put, that the said Bill be read a second Time,

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

A *Petition* of *John Buchanan*, setting forth, That in the Year 1756, he was appointed by the late Governor *Dinwiddie*, to examine into the Services actually done by the Officers and Militia of *Augusta* County, ordered out for the Protection of our Frontiers, and to settle the Accounts of Provisions furnished them, and was at the same Time instructed to be very exact in his said Enquiry, and to require proper Vouchers for all the Charges of the said Militia, and also lodged in his Hands £2500 to be by him disposed of in discharging those Accounts. That the Petitioner was at great Expence and Trouble in riding about the said County of *Augusta* in the Execution of his Office, and in travelling several Times to *Williamsburg* to give an Account of his Proceedings, and render his Accounts of the Disposition of the said £2500, which he performed to the Satisfaction of the Governor and a Committee, and a Balance of £58 now remains in his Hands: and praying the consideration of this House for his said Services, having never yet received any Satisfaction for the same, was presented to the House and read.

32 *Ordered*, That the said Petition be referred to Mr. *Gabriel Jones*, Mr *Martin*, and Mr *Wilson*, that they do examine into the Allegations thereof, and report the same with their Opinions thereupon to the House.

Mr *Thompson Mason* presented to the House according to Order a Bill, For destroying Crows and Squirrels in the Northern Neck, and the same was read the first Time, and ordered to be read a second Time.

Mr



Mr *Benjamin Waller* reported, That the Committee to whom the Petition of *John Smith* was referred, had had the same under their Consideration, and agreed upon a Report and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table where the said Resolution was again twice read, and agreed to by the House as follows:

It appears to this Committee from the Testimony of several Persons who were in the late Expedition against the *Shawnee Indians*, and intimately acquainted with the said *Smith*, that he never shewed any Backwardness to proceed in the Expedition or encouraged any Mutiny or Desertion, but on the contrary endeavoured to prevent his Men from Deserting, by encouraging them with the Hopes of an open Country being near, and that after his Men had turned back, he declared he was willing to proceed on with ten Men, provided the *Cherokee Indians* would go with him.

*Resolved*, That the said *John Smith* did not misbehave himself in the said Expedition against the *Shawnee Indians*, and that he ought to receive his Pay.

*Ordered*, That it be an Instruction to the Committee appointed to settle the Militia Accounts, that they make an Allowance to the said *John Smith* for his Pay during his Service in the said Expedition.

A Petition of Mr *John Bell*; complaining of an undue Election and Return of Mr *Henry Peyton*, to serve as a Burgess in this present General Assembly, for the County of *Prince William*, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Privileges and Elections, that they examine into the Allegations thereof, and report the same with their Opinions thereupon to the House.

Mr *Bland* reported that the Committee appointed to settle the Accounts of the Militia drafted out for the Protection and Defence of the Frontiers of this Colony, had had under their Consideration the Petition of *John Triplet*, *John Payton*, *John Delancey*, *Robert Duncan*, *David Harris*, *Thomas Freeman*, *Thomas Pannell*, *William Harvey*, *Michael Thomas*, *Adam Smith*, and *John Holt*, to them referred, and had agreed upon a Report and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same were again read and are as follow:

It appears to this Committee that the Petitioners were drafted from the Militia of *Culpeper* to go to the Frontiers near *Pattison's Creek* in *Hampshire County*, under the Command of Captain *William Brown*, and after being there some Time in the Winter Season, and in Want of Necessaries, applied to their Captain for Leave to return Home, who promised to discharge them if they would stay and build a Fort, which the Petitioners with the rest of the Company finished, and at the End of Sixty-three Days returned Home without any Discharge from their Captain.

*Resolved*, That the Petitioners ought to be paid by the Public for their said Service. 33

The said Resolution was read a second Time and the Question being put, that the House agree thereto,

It passed in the Negative.

Mr *Peyton* reported that the Committee to whom the Petition of *Joseph Evans* was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House as follows:

*Resolved*, That the said *Joseph Evans* be allowed the Sum of twelve Pounds, to be paid by the Public.

Mr *Pendleton* presented to the House according to Order a Bill, To dock the Intail of certain Lands whereof *Tunstall Banks* is seized, and for settling other Lands of greater Value to the same Uses, and the same was read the first Time, and ordered to be read a second Time.

A Petition of fundry Inhabitants of the Town of *Falmouth*, praying that an Act may pass to prevent Hogs going at Large within the said Town, was presented to the House and read, and the Question being put, that the said Petition be referred to a Committee,

It



It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of *Jacob Valentine*, setting forth, That a Negroe Man Slave belonging to him, was, in the Month of *September* 1757, out-lawed by him, as a Runaway, since which Time he has never heard of him and praying to be allowed by the Public for the Value of the said Slave, was offered to the House, and the Question being put that the said Petition be received,

It passed in the Negative.

Upon a *Motion* made,

*Ordered*, That the Petition of *Obadiah Woodson*, which at a Session of Assembly on the eighteenth Day of *May* last was referred to the Consideration of the next Session of Assembly, together with the several Depositions of Witneses taken and lodged with the Clerk of this House, in Pursuance of an Order of the House, touching the said Petition, be referred to Mr *Cary*, Mr *Nicholas*, Mr *Benjamin Waller*, Mr *Lewis*, Mr *William Waller*, Mr *Gabriel Jones*, Mr *Read*, and Mr *Walker*; That they do examine into the Allegations of the said Petition, and report the same, with their Opinions thereupon, to the House.

A *Message* from the Council by Mr *Waltheof*,

*That they have agreed to the Bill, intituled An Act for appointing a Treasurer.*

*Ordered*, That the Accounts of Captain *Preston*, for the Pay of the Company of the Militia of *Augusta* County, between the first Day of *May* to the seventh Day of *June*, 1757, under his Command, be referred to the Committee appointed to settle the Militia Accounts; That they do examine into the several Articles thereof, and report the same, with their Opinions thereupon, to the House.

34

*Ordered*, That the Treasurer's Accounts be referred to Mr *Charles Carter*, Mr *Bland*, Mr *Page*, Mr *Dudley Digges*, Mr *Benjamin Harrison*, Mr *Pendleton*, Mr *Cary*, Mr *Lewis*, Mr *George Johnston*, Mr *Thomas Lee*, Mr *Richard Henry Lee*, Mr *Eyre*, and Mr *George Mason*; That they examine into the several Articles thereof, and report the Balance, as it shall appear to them, to the House.

A *Petition* of *John Murray*, setting forth, That in the Year 1755, he was sent out with the Militia drafted from the County of *Prince William*, and employed by their Commanding Officer as a Blacksmith for the Time he continued in that Service, which was ninety-three Days, for which by the Laws then in Force he was entitled to 50 lbs. of Tobacco per Day; but that when the Accounts of the Militia of that County were settled by a late Assembly, he was allowed only as a common Soldier, and praying the Consideration of this House, was presented to the House and read, and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of *John Markham*, setting forth, That in the Year 1755 he was sent out with a Detachment of *Prince William* Militia, and continued in the said Service sixty-six Days as a Corporal, but by some Mistake he was left out of the List of that Militia, certified to the late Assembly, and has never yet received any Satisfaction for his said Service, and praying the Consideration of this House.

Also a *Petition* of *George Muse*, setting forth, That there is now due to him £6. 10s. for his Pay as Lieutenant Colonel of the first *Virginia* Regiment to the Time he was discharged, and praying that the same may be allowed him, were severally presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee appointed to settle the Militia Accounts; That they do examine into the Allegations thereof respectively, and report the same, with their Opinions thereupon, to the House.

The

The *Order* of the Day being read, for the House to resolve itself into a Committee to consider of Ways and Means to raise the Sum of £20,000 pursuant to the Resolution of the Committee, Yesterday agreed to by the House.

*Resolved*, That this House will resolve itself into the said Committee To-morrow.  
*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 28th of September, 32 Geo. II. 1758.

**M**<sup>R</sup> *Gabriel Jones* reported, That the Committee to whom the Petition of *John Buchanan* was referred, had had the same under their Consideration, and found the Allegations thereof, to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House as follows:

*Resolved*, That the said *John Buchanan* ought to be paid by the Public the Sum of £100 for his Trouble, Expence, and Services in the said Petition mentioned. 35

A Petition of Captain *James Nevill*, in Behalf of himself and the Company under his Command, setting forth, That on the seventh Instant they had a Skirmish with a Party of Enemy *Indians*, in which one of them was killed and scalped by the Petitioners, but that upon Application for the Reward given by Law for an Enemy's Scalp, they were informed there was no Money in the Treasury, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to <sup>M<sup>r</sup></sup> *Randolph*, <sup>M<sup>r</sup></sup> *Wilson*, and <sup>M<sup>r</sup></sup> *Jones*; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

A Petition of *Nicholas Ally*, setting forth, That in *June* last he was ordered out as a Guide to a Party of the *Brunswick* Militia, sent out for the Protection of the Inhabitants, and in a Skirmish with some *Indians* was shot through the Body with two Bullets, and had his right Arm broke, which has entirely disabled him from getting a Livelihood, and praying the Consideration of this House was presented to the House and read.

*Ordered*, That the said Petition be referred to <sup>M<sup>r</sup></sup> *Marrable*, <sup>M<sup>r</sup></sup> *Terry*, <sup>M<sup>r</sup></sup> *Wade*, and <sup>M<sup>r</sup></sup> *Read*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Petition of *James Carter*, Surgeon, praying to be paid by the Public for his Care and Cure of one *Dennis McNamara*, a poor disabled Soldier, put under his Care by the late Governor *Dinwiddie*, was presented to the House and read.

*Ordered*, That the said Petition be referred to <sup>M<sup>r</sup></sup> *Nicholas*, <sup>M<sup>r</sup></sup> *Benjamin Waller*, and <sup>M<sup>r</sup></sup> *Wythe*; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

<sup>M<sup>r</sup></sup> *Landon Carter* reported, That the Committee to whom the Petition of *Robert Wright* was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said *Robert Wright* ought to be allowed the Sum of five Pounds per Annum during his Life, to be paid by the Public, over and above the nine Pounds he hath already received.

A Petition of *Edward Goodrich*, setting forth, That being Captain of a Company of Rangers last Summer he was obliged to go Express to *Williamsburg*, in which Journey the Mare he rode had a Shoulder flipt, and that he has been obliged to make good that Damage to the Owner, to the Value of eight Pistoles, and praying to be allowed for the same, and the Trouble he was at in going the said Journey, was presented to the House and read.

*Ordered*



*Ordered*, That the said Petition be referred to Mr *Marrable*, Mr *Lemuel Riddick*, Mr *Nicholas*, Mr *George Mafon*, and Mr *Read*; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

36 *A Petition* of fundry Inhabitants of that Part of *Albemarle* County that lies in *Fredricksville* Parish, in Opposition to a Petition to be presented to this Assembly for reuniting them to the Parish of *Saint Anne*.

*Also a Petition* of the Inhabitants of *Halifax* County, setting forth, That the Law now in Force concerning Strays is very deficient, and particularly for Want of a Register of Advertisements of Strays, and praying that an Act may pass to direct the appointing of a Person in every County to keep a Register of all Advertisements of Strays, and that every Person taking up a Stray may be obliged to have the same entered in such Register with a particular Description of such Stray, were severally presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

Mr *Attorney* from the Committee of Privileges and Elections reported, that the Committee had had under their Consideration the Petition of Mr *John Bell* to them referred, complaining of an undue Election and Return of Mr *Henry Peyton*, to serve as a Burgess in this present General Assembly for the County of *Prince William*, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House as follow:

*Resolved*, That the Persons who voted at the said Election whose Freeholds are questioned, either by the Petitioner or sitting Member be examined before *Foushee Tebbs*, *John Baylis*, and *Howson Hooe*, Gentlemen, and *James Scott*, Clerk, or any three of them, whether they be Freeholders or not, except such of them as did swear to their Freeholds at the said Election.

*Resolved*, That the Petitioner and sitting Member be at Liberty to examine Witnesses before the same Persons as to the Freehold of any Person who voted at the said Election, although such Persons swore to their Freeholds at such Election, or shall swear to the same at the Examination; and that they be at Liberty to examine how long such Voters have been in Possession of, and paid Quit-rents for the Lands or Tenements in Right of which they voted at the said Election.

*Resolved*, That the Petitioner do give to the sitting Member or his Agents, ten Days Notice of the Time and Place he intends to examine Witnesses touching the said Election, and that he do at the same Time deliver to the sitting Member or his Agents, a List of the Persons intended to be by him objected to, who voted for the sitting Member, giving in the said List the several Heads of Objection, distinguishing the same against the Names of the Voters excepted to; and that the sitting Member do give to the Petitioner the like Notice and List: And that the said Commissioners do return the Depositions by them taken to the next Session of Assembly.

The House proceeded to the Consideration of the Petition of *William Hunter*, Printer, which was ordered to lie on the Table on *Friday*, the 22<sup>d</sup> Instant, and thereupon,

37 *Resolved*, That the Sum of £300 per Annum be allowed to *William Hunter*, Printer, to continue to the End of the next Session of Assembly; as a full Consideration for printing the Journal of the House of Burgesses, printing the Laws of each Session, and sending 13 of them to every County Court Clerk, one of which to be Half-bound for the Use of the Court, printing Inspectors Notes and Books, Proclamations and other public Advertisements.

*Ordered*, That the said Resolve be ingrossed, and that Mr *Bland* do carry it to the Council for their Concurrence.

Mr *Attorney* from the Committee of Privileges and Elections reported, That the Committee had had under their Consideration the Return of the Writ for electing Burgesses for the County of *Hampshire*, and the Return of the Writ for electing a Burgess for the County of *Surry*, to serve as Burgesses in this present General Assembly, and had  
come



come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House as follows:

*Resolved*, That the Returns of the said Writs are not made in the Form prescribed by Law.

*Ordered*, That the Returns of the said Writs be amended by the Clerk, at the Table.

The Order of the Day being read for the House to resolve itself into a Committee, to consider of Ways and Means for raising the Sum of £20,000, pursuant to the Resolution of the House on *Tuesday* last;

*Resolved*, That this House will resolve itself into the said Committee To-morrow.

An engrossed *Bill*, intituled, *An Act for continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Landon Carter do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for repealing an Act, intituled, An Act for the more effectual preventing and repelling the hostile Incursions of the Indians at Enmity with the Inhabitants of this Colony*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Cary do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for dissolving the Vestry of Hamilton Parish, in the County of Prince William*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Henry Lee do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for settling the Inspectors Salaries, and the Rents of the public Warehouses, for the ensuing Year*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Bland do carry up the said Bill to the Council for their Concurrence.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday. the 29th of September. 32 Geo. II. 1758.

23

**A** Claim of Benjamin Cocke for taking up a Runaway, therein mentioned.

Also a Claim of William Maclin, for Ferriage of tributary Indians.

Also a Claim of Samuel Rice for taking up a Defenter, were severally presented to the House, and read.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

Mr Randolph reported, that the Committee to whom the Petition of Captain James Nevil and others was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Petitioners are entitled to the Rewards allowed by Law for the Indian's Scalp mentioned in the said Petition.

A Message from the Governor was delivered by Mr Walthoe.

Mr Speaker,

The Governor has commanded me to lay before your House a Letter from James Abercromby, Esq; inclosing an Account of Monies disbursed by him, and for Business by him done as Agent for Virginia.

And the said Letter and Account were read, and ordered to lie on the Table.

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A *Bill* For erecting a Town on the Land of *Lewis Stephens*, in the County of *Fredrick*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Pendleton*, Mr *Green*, Mr *Thompson Mason*, and Mr *Henry Lee*.

A *Petition* of Mr *Robert Wade*, setting forth, that in *August* last, he, with his Company of Rangers, killed and scalped four *Shawnee Indians* in *Augusta*, but upon applying for the Reward allowed by Law for such Scalps, was informed there was no Money in the Treasury, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to Mr *Bland*, Mr *Richard Henry Lee*, Mr *Thompson Mason*, Mr *Jones* and Mr *Benjamin Waller*; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Mr *Pendleton* reported, that the Committee to whom the Bill To amend an Act, intituled, *An Act for preventing fraudulent Gifts of Slaves*, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

Mr *Marrable* reported, that the Committee to whom the *Petition* of *Nicholas Ally* was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said *Nicholas Ally* ought to be paid by the Public the Sum of £25, as a Recompence for his Sufferings, in the said *Petition* mentioned.

Mr *Marrable* also reported, that the Committee to whom the *Petition* of *Edward Goodrich* was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again read, and is as follows:

*Resolved*, That the said *Edward Goodrich* ought to be paid the Sum of £8. 12s. for the Mare in the said *Petition* mentioned, and the Sum of £3. 12s. for his Expences and Trouble in travelling to *Williamsburg*, on the public Service.

The said *Resolution* being read a second Time, and the Question put, that the House agree thereto,

It passed in the Negative.

A *Petition* of *Robert Jackson*, setting forth, that Colonel *George Mercer* enlisted into his Majesty's Service his Servant Man, *Peter Tully*, whose Time of Service then due was by two Justices of *Spotsylvania* County valued at £8. 5s. for which he has never received any Satisfaction, and praying the Consideration of this House, was presented to the House and read; and the Question being put, that the said *Petition* be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said *Petition* be rejected.

A *Message* from the Council by Mr *Walthoe*.

*That they have agreed to the Resolve of this House for allowing William Hunter, Printer a Salary of £300 per Annum, for the Services therein mentioned.*

*Also to the Bill, intituled, An Act for continuing an Act, intituled, an Act for reducing the several Laws for making Provision against Invasions and Insurrections into one Act.*

*Also to the Bill, intituled, An Act for settling the Inspectors Salaries, and the Rents of the public Warehouses, for the ensuing Year.*

*Also to the Bill, intituled, An Act for repealing an Act, intituled, An Act for the more effectual preventing and repelling the hostile Incurfions of the Indians at Enmity with the Inhabitants of this Colony.*

*Also*



*Also to the Bill, intituled, An Act for dissolving the Vestry of Hamilton Parish, in the County of Prince William, without any Amendments.*

*And that they have agreed to the Bill, intituled, An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money for the ensuing Year, with an Amendment, to which they desire the Concurrence of this House.*

The House immediately proceeded to the Consideration of the Amendment proposed by the Council to the said Bill, and the same being read, was agreed to.

*Ordered, That Mr Bland do go up with a Message to the Council, and inform them thereof.*

A Bill To dock the Entail of certain Lands whereof *Tunstal Banks* is seized, and for settling other Lands of greater Value to the same Uses, was read a second Time, and committed to Mr *Pendleton*, Mr *Baylor*, and the Members of *King William* County.

A Bill For appointing an Agent was read a second Time.

*Ordered, That the said Bill be engrossed, and read a third Time.*

A Bill For destroying Crows and Squirrels in the Northern Neck was read a second Time, and several Amendments made thereto.

*Ordered, That the said Bill, with the Amendments, be engrossed, and read a third Time.*

The Order of the Day being read, for the House to resolve itself into a Committee to consider of Ways and Means to raise the Sum of £20,000 pursuant to the Resolution of the House on *Tuesday* last.

*Resolved, That this House will resolve itself into the said Committee To-morrow.*

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday, the 30th of September, 32 Geo. II. 1758.

A Claim of *Harry Beverly*, for the Value of a Servant enlisted into the Royal American Regiment.

*Also a Claim of Carlyle and Dalton*, for the Value of several Servants enlisted into the said Regiment, were severally presented to the House and received.

*Ordered, That the said Claims be referred to Mr Charles Carter, Mr Skelton, Mr Johnson, Mr Walker, and Mr Fleming*, that they do examine into the several Articles thereof, with the Vouchers for them, and report the same with their Opinion thereupon to the House.

The Order of the Day being read,

The House resolved itself into a Committee to consider of Ways and Means for raising the Sum of £20,000 pursuant to their Resolution on *Tuesday* last, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had come to a Resolution thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the House as follows:

*Resolved, That the Sum of £20,000 to be levied be raised by a Land and Poll Tax.*

*Ordered, That a Bill or Bills be brought in pursuant to the said Resolution, and it is referred to Mr Charles Carter, Mr Landon Carter, Mr Bland, Mr Nicholas, Mr Pendleton, and Mr George Johnston*, to prepare and bring in the same.

A Petition of Doctor *Henry Heath*, setting forth, That he attended the drafted Soldiers at *Winchester* in their Sickness, by Order of the Commanding Officer 50 Days, for which and his Medicines and Advice, he charges £25, and that he has only received £10. 10s. and praying to be paid the Balance by the Publick, was presented to the House and read.

*Ordered*



*Ordered*, That the said Petition be referred to Mr *Charles Carter*, Junior, Mr *Walker*, and Mr *Baylor*, that they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

*And then the House adjourned till Monday Morning Eleven o'clock.*

## Monday, the 2nd of October. 32 Geo. II. 1758.

A New Member having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Mr *Bland* reported, that the Committee appointed to settle the Accounts of the Militia sent out for the Defence of the Frontiers, and of the Officers that carried the draughted Soldiers to *Winchester* and *Fredericksburg*, and the Claims for dyeting the Indians in Friendship with this Colony, had examined, stated and settled, all such Accounts and Claims, for which proper Certificates were produced, and had agreed upon a Report, which they had stated in a Book, and he delivered the Book in at the Table.

*Ordered*, That the said Report do lie on the Table.

A Claim of *Thomas Wall*, Assignee of *Joseph Baylie*, for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That the said Claim be referred to the Consideration of the next Session of Assembly.

The House being informed, that the Sheriff of *Loudoun* attended at the Door in Custody of the Serjeant at Arms.

*Ordered*, That he amend his Return of the Writ for electing Burgeesses for the said County in the Office, and that he be discharged out of Custody paying Fees.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill For appointing Commissioners to examine and state the Accounts of Provisions for several Counties, and of the Damages done the Inhabitants of this Colony by the *Cherokee* and *Catawba Indians*, and it is referred to Mr *Bland*, Mr *Jones* and Mr *Read*, to prepare and bring in the same.

A Claim of Doctor *James Tyrie* for a Servant Man enlisted into the Royal American Regiment, was presented to the House and received.

*Ordered*, That the said Claim be referred to the Consideration of the Committee to whom the Claim of *Harry Beverley* was referred on *Saturday* last.

Mr *Charles Carter*, Jun. reported, that the Committee to whom the Petition of *Henry Heath* was referred, had examined into the Allegations thereof, and found them to be true, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

<sup>42</sup> *Resolved*, That the said *Henry Heath* ought to be allowed the Sum of £14. 10s. to be paid by the Public.

Mr *Cary* reported, That the Committee to whom the Petition of *Obadiah Woodson* was referred, had had the same under their Consideration, and had considered several Depositions taken by the Committee of Propositions and Grievances the 19<sup>th</sup> of May, 1757: The Minutes of a Council of War, then laid before that Committee, and the Depositions of *John Smith* now taken, all which are annexed to the said Report, and had come to two Resolutions thereupon, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the said Report do lie on the Table.

Mr *Pendleton* reported, That the Committee to whom the Bill, To dock the Intail of certain Lands whereof *Tunstall Banks* is seized, and for settling other Lands of greater Value to the same Uses, was committed, had examined into the Allegations thereof, and found them to be true, and had made several Amendments thereto, which he read in his Place

Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read and agreed to by the House.

*Ordered*, That the Bill with the Amendments be ingrossed, and read a third Time.

A *Petition* of *Philip Johnson*, setting forth, That he hath laid out a Parcel of his Land adjoining the Southern Bounds of the City of *Williamsburg*, which he desires may be added to, and made Part of the said City, and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Waller*, Mr *Attorney*, and Mr *Nicholas*, to prepare and bring in the same.

An ingrossed *Bill*, intituled, *An Act for appointing an Agent*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Landon Carter* do carry up the said Bill to the Council for their Concurrence.

The House proceeded to the Consideration of Mr *Abercromby's* Letter and Accounts, which were laid before the House by Command of his Honor the Governor on *Friday* last, and then ordered to lie on the Table, and the same being again read.

*Resolved*, that the Account of the said *James Abercromby* be disallowed, he not having been appointed by the Assembly to solicit the Affairs of this Colony, except in a particular Instance for which he has received Satisfaction, and therefore this House is under no Engagement to pay the same.

An ingrossed *Bill*, intituled, *An Act for destroying Crows and Squirrels in the Northern Neck, and in the several Counties therein mentioned*, was read a third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Thompson Mason*, do carry up the said Bill to the Council, for their Concurrence.

A *Petition* of *John Stretch*, in Behalf of Mr *William Hunter*, Printer to the Public, setting forth, That the said *Hunter* was at many extraordinary Expences in printing the Treasury Notes lately issued, an Account whereof he is ready to produce, and that the Sum allowed by the House to the said *Hunter* for that Service, is greatly short of the Expence he was at, and praying that the House will make him such further Allowance as shall be thought reasonable, was presented to the House and read; and the Question being put, that the said Petition be referred to a Committee, 43

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

Upon a *Motion* made,

*Resolved*, That this House will not receive any Petitions or Claims after *Wednesday* next.

The House being informed by one of the Members, That Mr *Thomas Knox*, did lately in a publick Company, speak the following Words of Mr *William Kennon*, a Member of this House, to wit, "Mr *William Kennon* was a damned Scoundrel for betraying private Conversation, and that he deviated from the Truth in representing Mr *Rowe's* Behaviour to the House of Burgeffes."

*Resolved*, That the said Words are scandalous and malicious, highly reflecting on the Honor and Dignity of this House, and that the said *Thomas Knox* in speaking the same, is guilty of a Breach of the Privileges of this House.

*Ordered*, That the said *Thomas Knox* be taken into Custody by the Serjeant at Arms.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

**Tuesday.**



Tuesday, the 3rd of October. 32 Geo. II. 1758.

A Claim of *Richard Neale* for taking up a Runaway therein mentioned, was presented to the House and received.

Ordered, That the said Claim be referred to the Consideration of the next Session of Assembly.

Mr *Bland* reported, That the Committee to whom the Petition of *Robert Wade*, in Behalf of himself and the Company of Rangers under his Command was referred, had had the same under their Consideration, and found the Allegations thereof to be true, had come to a Resolution thereupon which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

Resolved, That the said *Robert Wade* and his Company ought to be paid by the Public the Reward allowed by Law for killing the four *Indians* mentioned therein.

Ordered, That Mr *Edmund Booker* and Mr *Anthony Walke* have Leave to be absent from the Service of this House for the Remainder of this Session.

Mr *Bland*, from the Committee appointed, presented to the House, according to Order, a Bill, For appointing Commissioners to examine, and state the Accounts of Provisions for several Counties, and of the Damage done the Inhabitants of this Colony by the *Cherokee* and *Catawba Indians*, and the same was read the first Time, and ordered to be read a second Time.

Mr *Charles Carter*, from the Committee appointed, presented the House, according to Order, a Bill, For raising the Sum of £20,000 Pounds by a Land and Poll Tax, and the same was read the first Time, and ordered to be read a second Time.

A Bill For further continuing an Act, intituled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was read a second Time.

Ordered, That the said Bill be ingrossed, and read a third Time.

Mr *Benjamin Waller*, from the Committee appointed, presented to the House, according to Order, a Bill For adding certain Lands therein mentioned to the City of *Williamsburg*, and the same was read the first Time, and ordered to be read a second Time.

Mr *Pendleton* reported, That the Committee to whom the Bill, For erecting a Town on the Land of *Lewis Stephens*, in the County of *Frederick*, and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

Ordered, That the Bill with the Amendments be ingrossed, and read a third Time.

A Petition of *Peter Pelham*, setting forth, That he hath hitherto performed as Organist in the Church in the City of *Williamsburg*, without any Salary or Allowance for his Trouble, except a few voluntary Subscriptions, and praying such Allowance from this House as shall be thought reasonable, was presented to the House and read.

Resolved, That the Sum of £25 be paid by the Treasurer of this Colony out of the public Money in his Hands to *Peter Pelham* for his Trouble in performing on the Organ in the Church in the City of *Williamsburg* during this Session, and for keeping the same in Order.

Ordered, That the said Resolve be ingrossed, and that Mr *Landon Carter* do carry it to the Council for their Concurrence.

A Petition of *Thomas Knox*, setting forth, That he is sincerely sorry he hath offended this House, by saying of one of their Members "That he was a Scoundrel for betraying a private Conversation passed at the Petitioner's House, and that he had deviated from Truth in the Information he made against Mr *Rowe*."

That he was far from designing to reflect on the House for which he has a very high Esteem, or on the Gentleman he spoke of as a Member, but considered him at that Time only as a private Person, by whom he thought he had been ungentlely treated. That

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he is willing to make this House any Acknowledgement for his Offence, and submits himself to their Pleasure, hoping by his future Behaviour to justify the Lenity the House may be inclined to shew him on this Occasion.

*Ordered*, That the said *Thomas Knox* be discharged out of Custody paying Fees.

An ingrossed *Bill*, intituled, *An Act to dock the Intail of certain Lands whereof Tunstall Banks is seized, and for settling other Lands of greater Value to the same Uses*, was read the third Time. 45

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Pendleton* do carry up the said *Bill* to the Council for their Concurrence.

A *Petition* of *Thomas Black*, setting forth, That one *Thomas Parker*, a Servant of his, in the Month of *June*, 1757, enlisted into the *Royal American Regiment*, and that he never received any Satisfaction for him, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee to whom the *Petition* of *Harry Beverly* was referred on *Saturday* last.

An ingrossed *Bill*, intituled, *An Act for preventing fraudulent Gifts of Slaves*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Pendleton* do carry up the said *Bill* to the Council for their Concurrence.

The House proceeded to the Consideration of the Report from the Committee appointed to examine the Accounts of the Militia drafted out for the Service of this Colony, and of the Officers that conducted the drafted Soldiers to *Winchester*, and the Claims for dieting our friendly *Indians*, which was Yesterday presented to the House and ordered to lie on the Table, and the same being read, was agreed to.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 4th of October. 32 Geo. II. 1758.

UPON a Motion made,

*Ordered*, That Leave be given to bring in a *Bill* For paying the Burgeesses Wages for this present and the last Session of Assembly in Money, and it is referred to Mr *Charles Carter*, and Mr *Bland*, to prepare and bring in the same.

A *Petition* of *Thompson Swan*, setting forth, that in the Month of *October* last, in travelling he happened to meet with a Defenter, whom he thought it his Duty to apprehend; and in order to intimidate him and make him surrender, he presented a Pistol at him, but that the Defenter seized him, and in the Struggle the Pistol was discharged, and shot the Defenter in the Thigh. That the Petitioner then put him under the Care of a Surgeon, and was at the Expence of £10. 15s. in his Cure; and praying to be reimbursed the said Sum by the Public, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Consideration of the next Session of Assembly.

A *Petition* of *George Morton*, setting forth, That he is Proprietor of the Warehouses at *Morton's on Rappahannock*, and that many Ships lie near that Place to load, by which Means great Quantities of Tobacco are frequently lodged in his said Warehouses, for which he is not entitled to demand Storage; and praying the Consideration of this House, was presented to the House and read, and the Question being put, that the said *Petition* be referred to a Committee, 45

It passed in the Negative.

*Resolved*, That the said *Petition* be rejected.

A *Petition* of *Thomas Gibbs*, setting forth, That in the Year 1754, he by Order of the Governor furnished a Set of Blacksmith's Tools, and other Materials for the Use of the Workmen employed in building *Fort Cumberland*, for which he took a Receipt, in which

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it is agreed that the said Tools should be returned to him in one Year; but that they never were returned to him, and that he hath received no Satisfaction for the same; and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Nicholas*, Mr *Francis Lee*, and Mr *Dudley Digges*; that they do examine into the Allegations thereof, and report the same with their Opinions thereupon, to the House.

A Message from the Governor was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governor has commanded me to deliver to your House, several Letters his Honor received last Night, by Express from Colonel Washington, and Lieutenant Smith, giving an Account of the late Engagement with the French near Fort Du Quefne, and of the blowing up one of our Magazines at Fort Cumberland.*

And the said Letters were read and ordered to lie on the Table.

Mr *Charles Carter* reported, That the Committee appointed to examine the Treasurer's Accounts, had according to Order had the same under their Consideration, and examined all the several Articles and Vouchers thereof, and had agreed upon a Report which he read in his Place, and then delivered in at the Table, where the same was again twice read and agreed to, and is as follows:

It appears the said Accounts are truly stated, and that there remains in the Treasurer's Hands a Balance arising from the Duties on Liquors and Slaves and on Writs, Ordinary Licences and Wheel Carriages, the Balances paid in by the Inspectors of public Warehouses, and Money received of the Sheriffs for the Land and Poll Tax in the Years, 1756, and 1757, the Sum of £3,597, 14s. 11d. That there also remains in the Treasurer's Hands a Balance of £7,255, 6s. 11d. for the several Treasury Notes emitted over and above the Sum of £8,846, 7s. 7d. reserved for the Redemption of the old Notes bearing Interest, and £6,481, 11s. 4d. reserved for the Redemption of the burnt Tobacco Notes not yet taken in. The Sum of £3,500, the Balance due to the Commissioners for the Indian Trade. £3,275, 0s. 10d. the Balance of the Fund given to the Rangers. And £19, 5s. 8d. Balance of the Money given to pay Arrears. That it appears to the Committee that of the £40,000, Treasury Notes credited in a former Account, the Sum of £1,395, 17s. 6d. never was emitted. The Treasurer is therefore allowed that Sum in this Account, and the Books containing the Notes for that Sum were by us burnt and destroyed.

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The Committee further inform the House, That it appears upon the said Accounts that there are large Arrears due from many of the Sheriffs and Collectors of the Duties and Taxes imposed for raising the several Funds before mentioned.

*Resolved*, That the said Account do pass.

*Ordered*, That Mr *Charles Carter* do carry up the Treasurer's Accounts to the Council for their Concurrence.

The House proceeded to the Consideration of the Report from the Committee to whom the Petition of *Obadiah Woodson* was referred, which was ordered to lie on the Table on Monday last, and the Resolutions of the said Committee were again twice read, and agreed to by the House, with an Amendment, as follow:

*Resolved*, That the ill Success of the Expedition was occasioned by the Want of Provisions.

*Resolved*, That the said *Obadiah Woodson* did not behave himself in such Manner as an Officer ought to have done.

Several Claims of *William Dunn*, and *Francis Kirkley* for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Assembly.

*Ordered*, That Mr *Webb* have Leave to be absent from the Service of this House the Remainder of this Session, for the Recovery of his Health.



M<sup>r</sup> *Charles Carter* reported, That the Committee to whom the several Claims of *Harry Beverley*, *John Carlyle*, *John Dalton*, *Thomas Black*, and *James Tyrie* for indented Servants inlisted into the Royal American Regiment, were referred, had had the same under their Consideration and examined the respective Vouchers of each Claim, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow :

*Resolved*, That it appears to this Committee that M<sup>r</sup> *Thomas Slaughter* hath already received the Sum of £4. 6s. of the late Governor *Dinwiddie*, as a reasonable Allowance for the Service due from the Servant of M<sup>r</sup> *Harry Beverly* inlisted into the said Regiment, and that the said *Thomas Slaughter* hath assumed to pay the said Sum.

*Resolved*, That M<sup>r</sup> *John Dalton* ought to be paid by the Public for three Servants, inlisted into the said Regiment, to wit, *Frederick Weill*, valued at £7. 5s. *Thomas Crane*, valued at £7. 15s. and *Benjamin Jackson* valued at £10. 13s. in the whole amounting to £25. 13s.

*Resolved*, That M<sup>r</sup> *John Carlyle* ought to be paid by the Public for his Servant Man, *Joseph Wharton*, inlisted into the said Regiment, the Sum of £13. 17s. 8d.

*Resolved*, That Messieurs *Carlyle* and *Dalton* ought to be paid by the Public for two Servants inlisted into the said Regiment, to wit, *Alexander Wishheart*, valued at £6. 7s. 2d., and *William Sherrin*, valued at £5, in the whole amounting to £11. 7s. 2d.

*Resolved*, That Doctor *James Tyrie* ought to be paid by the Public for his Servant Man, *William Hawkins*, inlisted into the said Regiment, the Sum of £4. 10s. 6d.

*Resolved*, That the Petition of *Thomas Black* ought to be rejected, it appearing to this Committee that the Servant in the said Petition mentioned was inlisted into the Service of this Colony, and not into the Royal American Regiment. 48

M<sup>r</sup> *Bland* presented to the House, according to Order, a Bill For paying the Burgesses Wages for the last and this present Session of Assembly in Money, and the same was read the first Time, and ordered to be read a second Time.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 5th of October. 32 Geo. II. 1758.

A Bill For adding certain Lands therein mentioned to the City of *Williamsburg*, was read a second Time, and committed to M<sup>r</sup> *Benjamin Waller*, M<sup>r</sup> *Burwell*, and M<sup>r</sup> *Robinson*.

An ingrossed Bill, intituled, *An Act for further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was read a third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> *Landon Carter* do carry up the said Bill to the Council for their Concurrence.

A Bill For appointing Commissioners to examine and state the Accounts of Provisions for several Counties, and of the Damages done the Inhabitants of this Colony by the *Cherokee* and *Catawba Indians*, was read a second Time, and committed to M<sup>r</sup> *Bland*, M<sup>r</sup> *Green*, M<sup>r</sup> *Read*, and M<sup>r</sup> *Martin*.

An ingrossed Bill, intituled, *An Act for erecting a Town on the land of Lewis Stephens, in the County of Frederick, for enlarging the Town of Winchester, and for erecting a Town on the Lands of Nicholas Minor, in the County of Loudoun*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> *Thompson Mason* do carry up the said Bill to the Council for their Concurrence.

A Bill For raising the Sum of £20,000 by a Land and Poll Tax, was read a second Time, and ordered to be committed to a Committee of the whole House immediately.

Upon a Motion made,

*Ordered*



*Ordered*, That the Report from the Committee appointed to examine the Accounts of the Militia drafted out into the Service of this Colony, and of the Officers that carried the drafted Soldiers to *Winchester* and *Fredericksburg*, be referred to the Consideration of the said Committee; and that it be an Instruction to the said Committee to receive a Clause or Clauses in the said Bill for making Provision for the Payment of the several Sums of Money in the said Report mentioned.

And then the House resolved itself into a Committee upon the said Bill and Report, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill and Report under their Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill and Report To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 6th of October. 32 Geo. II. 1758.

A Bill For paying the Burgeffes Wages for the last and this present Session of Affembly in Money, was read a second Time.

*Ordered*, That the said Bill be ingrossed, and read a third Time.

A Claim of *Andrew Hutchinson*, for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That the said Claim be referred to the Consideration of the next Session of Affembly.

The Order of the Day being read,

The House again resolved itself into a Committee upon the Bill For raising the Sum of £20,000 by a Land and Poll Tax, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their further Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday, the 7th of October. 32 Geo. II. 1758.

SEVERAL Claims of *John Sandige*, *Abraham Estes*, *Hugh Sanders*, *Thomas Brooks*, *Joseph Jeffrys*, *Robert Coleman*, *Edward Herndon*, *Henry Galewood*, *Alexander Spence Head*, and *Lawrence Young*, for taking up Runaways therein mentioned.

Also a Claim of *John Row*, and a Claim of *William Bell*, for taking up Deserters from the *Virginia* Regiment, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the next Session of Affembly.

A Message from the Council by Mr *Walthoe*,

*That they have agreed to the Bill, intituled, An Act for preventing fraudulent Gifts of Slaves, with an Amendment, to which they desire the Concurrence of this House.*

The House immediately proceeded to the Consideration of the said Amendment, and the same was read and agreed to.

*Ordered*, That Mr *Bland* do go up with a Message to the Council and inform them thereof.

An ingroffed *Bill*, intituled, *An Act for paying the Burgeffes Wages for the last and* 50  
*this prefent Seffion of Affembly in Money*, was read the third Time.

*Resolved*, That the *Bill* do pafs.

*Ordered*, That Mr *Bland* do carry up the faid *Bill* to the Council for their Concurrence.

A *Meffage* from the Governor was delivered by Mr *Walthoe*,

Mr *Speaker*,

*The Governor has commanded me to deliver to your Houfe a Memorial of the Merchants of London, in Behalf of themfelves and of their Correfpondents, Merchants of Bristol, Liverpool, and Glaſgow, trading and intereſted in the Province of Virginia, addreſſed to the Right Honorable the Lords Commiſſioners for Trade and Plantations, which his Honor has juſt received.*

And the faid *Memorial* was read, and is as follows:

That the General Affembly of *Virginia* have lately paſſed an Act, whereby their Provincial Treafurer is authorized, for the Purpoſes therein mentioned, to iſſue Paper Notes to the Amount of £80,000, which faid Paper Notes ſo iſſued, and rated at Proclamation Money, by the faid Act of Affembly, are thereby declared to be a lawful Tender in Payment of any Debt, or Demand whatever (excepting his Majeſty's Quit-Rents).

That your Petitioners having very large Sums of Money now due to them in the faid Province, in the Way of Trade, upon Bargains and Contracts made with the Inhabitants of *Virginia*, and for, and on their Account, do moreover ſtand bound to the Tradefmen in *Great Britain* for large Sums; all which faid Bargains and Contracts, by general Agreement, are payable in Sterling, or at the Rate of Sterling lawful Money of this Kingdom, and were entered into and concluded long before the Iſſuing of ſuch Notes, and before any ſuch Traffick, by Way of Paper Money, was known or heard of in the *Virginia* Trade.

Your *Memorialiſts* therefore beg Leave hereupon to remonſtrate to your Lordſhips the very great Injury that may ariſe to the Trading Intereſt of theſe Kingdoms, and more particularly to your *Memorialiſts*, from the *Virginia* Act, as it now ſtands, not only by Reaſon that it does affect Debts, Bargains, and Contracts, due to the Merchants of theſe Kingdoms, expreſſly ſtipulated payable to them, before the paſſing of the Act, in Sterling, or at the Rate of Sterling lawful Money of *Great Britain*, but does moreover invert the Nature of their Trade from a certain to an uncertain Value of Profit and Loſs; and in ſo far your *Memorialiſts* do conceive the faid Act to be arbitrary and unjuſt. Arbitrary, becauſe it does *ex poſt facto*, extend to Debts due on Bargains and Contracts made before the Paſſing of the Act. Unjuſt, by Reaſon that it does depreciate the Nature of ſuch Debts, by making Debts (payable in Sterling Money of univerſal Value) to be received in Paper Notes of a local, uncertain, and fluctuating Value, at the ſame Time that no Proviſion is made by the Act for making Payment in ſuch Notes, *ad Valorem* of Sterling, according to the Difference of Exchange between ſuch Paper Money and Sterling, when Payment is made, which Proviſion, on Principles of Law and common Equity, ought to have been made.

In ſo far therefore as that your *Memorialiſts* may be very great Sufferers from the Defects in the faid Act as it now ſtands, as well as from a Clauſe of one other Act that paſſed in the faid Province Anno 1748, intituled, *An Act declaring the Law concerning Executions, and for Relief of insolvent Debtors, whereby Executions for Sterling Debts ſhall be levied in Current Money, at the Rate of 25 per Cent. Advance on Sterling for the Difference of Exchange, and not otherwiſe.* 51

Your *Memorialiſts* do therefore humbly offer to your Lordſhips Conſideration an Expedient, which your *Memorialiſts* apprehend may fully anſwer the End propoſed by your *Memorialiſts*, by guarding againſt the Injury that may ariſe from the faid Acts with reſpect to your *Memorialiſts* Properties and the Trade of this Kingdom, and at the ſame Time no Ways defeat the Operation of the Paper Money Act, with Regard to the military Services thereby intended, which Expedient is, *viz.* That the Governor of *Virginia* be inſtructed by his Majeſty to urge to the Affembly the paſſing another Act for explaining and



and amending the Act now in Question, and thereby provide, That all Debts, Bargains or Contracts, that were entered into before the passing of the aforefaid Acts, fhall remain and ftand payable according to the Nature of fuch Debts, Bargains or Contracts; and that all Bargains or Contracts that have been heretofore made, or that may hereafter be made, and entered into, in the Courfe of Trade, or otherwife, between thefe Kingdoms and *Virginia*, if the fame fhall be exprefly ftipulated, and made payable according to Sterling, or lawful Money of *Great Britain*, That then, and in fuch Cafes, fuch Paper Notes fo iffued, or that may hereafter be iffued, or any other Species of Current Money, not being Sterling, fhall not be deemed a lawful Tender in Payment of any fuch Debt, Bargain or Contract, fo entered into, payable in Sterling, or lawful Money of *Great Britain*, unlefs the Perfon, or Perfons, to whom fuch Payment is tendered in Paper Notes, or in other Species of Current Money, fhall think proper to accept thereof, in fuch Paper Notes, or other Species of Current Money, if the fame fhall be offered to him, or them, according to the Difference of Exchange between fuch Paper Notes, and other Species of Current Money, at the Time when fuch Paper Notes, or other Species of Current Money, fhall be fo offered in Payment of Sterling Debts, &c. And that the Perfon, or Perfons, fo accepting of Payment in Paper Notes, or in any other Species of Current Money, according to the Difference of Exchange between Sterling and Paper Money, and fuch other Species of Current Money, fhall be deemed and held as fully paid and fatisfied for his and their Debt, to all Intents and Purpofes, as if fuch Payment had been made in Sterling or lawful Money of *Great Britain*, any Thing in the aforefaid Act, or in any other Act, to the contrary notwithstanding.

To an Amendment of this Nature, your Memorialifts conceive the Affembly of *Virginia* can make no Objection, in fo far as that it is, *bona fide*, founded on Principles of common Juftice, and the Laws of this Kingdom, and more particularly agreeable to the Act of the 6<sup>th</sup> Year of her late Majefty Queen *Anne*, whereby foreign Silver Coin is made Current in the Plantations, but in due Proportion, as the intrinsic Value thereof is to Sterling; and at the fame Time it is thereby provided, that all fuch Species of Silver Coins, fo made Current, fhall not affect Contracts or Bargains made prior to the Act: And it is thereby further provided, that nothing in the faid Act fhall be conftrued to compel any Perfon, or Perfons, whatfoever, to receive in Payment any of the faid Species of fuch foreign Silver Coin, as the fame is rated in the Act. In fo far therefore as that the Amendment, propofed by your Memorialifts to the Act of *Virginia*, coincides with Equity and the Laws of *England*, and with the Regard that is at all Times due to the Trading-Intereft of thefe Kingdoms, and with the Juftice that is due to your Memorialifts in this particular Cafe.

From fuch Confiderations, your Memorialifts humbly hope for your Lordfhips Interpofition with his Majefty, for an Inftruction to the Governor of *Virginia*, for the Purpofes aforefaid; and that your Lordfhips will be pleafed to fufpend giving Judgment upon the *Virginia* Act, as it now ftands, by Way of Approbation thereof, till fuch Time as the Senfe of the Affembly of that Province is had upon the Amendments propofed thereto.

*Ordered*, That the faid Memorial do lie on the Table, for the Perufal of the Members of this Houfe.

The *Order* of the Day being read,

The Houfe again refolved itfelf into a Committee upon the Bill For raifing the Sum of £20,000 by a Land and Poll Tax, and after fome Time fpent therein, Mr *Speaker* refumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the faid Bill under their further Confideration, and gone through the fame, and had made feveral Amendments thereto, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Confideration of the faid Report be put off till *Monday next*.

*And then the Houfe adjourned till Monday Morning Eleven o'Clock.*

**Monday.**



## Monday. the 9th of October. 32 Geo. II. 1758.

**M**<sup>R</sup> Benjamin Waller reported, That the Committee to whom the Bill For adding certain Lands therein mentioned to the City of *Williamsburg*, was committed had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill with the Amendments be ingrossed, and read a third Time.

The House proceeded to the Consideration of the Amendments proposed by the Committee of the whole House to the Bill For raising the Sum of £20,000, by a Land and Poll Tax, reported on *Saturday* last, and referred to be considered this Day, and the same being again twice read were agreed to by the House, with some Amendments.

*Ordered*, That the Bill with the Amendments, as amended, be ingrossed and read a third Time.

A Message from the Council by *Mr Walthoe*.

*That they have agreed to the Treasurer's Accounts.*

*Also to the Bill, intituled, An Act for erecting a Town on the Land of Lewis Stevens,* <sup>33</sup> in the County of *Frederick*; for enlarging the Town of *Winchester*, and for erecting a Town on the Lands of *Nicholas Minor*, in the County of *Loudoun*.

*Also to the Bill, intituled, An Act for paying the Burgeesses Wages for the last and this present Session of Assembly, in Money.*

*Also to the Bill, intituled, An Act for further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.*

*Mr Nicholas* reported, That the Committee to whom the Petition of *Thomas Gibbs* was referred, had had the same under their Consideration, and found the Allegations thereof to be true, and had come to two Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

*Resolved*, That the said *Thomas Gibbs* ought not to have any Allowance for the Hand Cuffs and other Things mentioned in one of the Receipts annexed to his Petition.

*Resolved*, That the said *Thomas Gibbs* ought to be allowed for the Blacksmith's and Farrier's Tools, specified in the other Receipt, the Sum of £15, to be paid by the Public.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 10th of October. 32 Geo. II. 1758.

**M**<sup>R</sup> Read reported, That the Committee to whom the Bill For appointing Commissioners to examine and state the Accounts of Provisions for several Counties, and of the Damages done the Inhabitants of this Colony by the *Cherokee* and *Catawaba Indians* was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table where the Amendments were again twice read, and agreed to by the House, with an Amendment.

*Ordered*, That the Bill with the Amendments, as amended, be ingrossed and read a third Time.

An ingrossed Bill, intituled, *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That *Mr Charles Carter* do carry up the said Bill to the Council for their Concurrence.

*Ordered*,

Ordered, That a Committee be appointed to examine the inrolled Bills of the following Persons, viz. Mr William Digges, Mr William Waller, Mr Jones, Mr Read, Mr Green, Mr Cabbell, and Mr Henry Lee.

54 An ingrossed Bill, intituled, *An Act for vesting certain Lands therein mentioned in Philip Johnson, Gentleman, adding the same to the City of Williamsburg, and for other Purposes therein mentioned*, was read a third Time.

Resolved, That the Bill do pass.

Ordered, That Mr Burwell do carry up the said Bill to the Council for their Concurrence.

An ingrossed Bill, intituled, *An Act for appointing Commissioners to examine and state the Accounts of Provisions, and Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the Cherokee and Catawba Indians, and for other Purposes therein mentioned*, was read a third Time, and a Blank therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr Read do carry up the said Bill to the Council for their Concurrence.

Upon a Motion made,

Resolved, That the several Sums following be paid to the several Officers of the General Assembly, respectively :

To John Randolph, Esq; Clerk of the House of Burgeffes,	£200
To Nathaniel Walthoe, Esq; Clerk of the General Assembly,	60
To the Reverend Mr William Yates, Chaplain,	40
To Mr Francis Eppes, Serjeant at Arms,	50
To Mr John Palmer, Clerk of the Com. of Privileges and Elections,	50
To Mr Thomas Everard, for his Services,	60
To the Door-Keeper of the Council,	10
To William Francis,	10
To Thomas Broadrib,	10
To James Lavie,	10
To James Yates,	10
} Door-Keepers to the House,	

Ordered, That the said Resolve be ingrossed, and that Mr Thomas Lee do carry it up to the Council for their Concurrence.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Wednesday. the 11th of October. 32 Geo. II. 1758.

A Message from the Council by Mr Walthoe.

That they have agreed to the Bill, intituled, *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*.

Also to the Bill, intituled, *An Act for vesting certain Lands therein mentioned in Philip Johnson, Gentleman, adding the same to the City of Williamsburg, and for other Purposes therein mentioned*.

Also to the Resolve of this House for paying the respective Officers of the General Assembly the several Sums of Money therein mentioned.

And to the Resolve for paying Peter Pelham the Sum of £25, for the Services therein mentioned.

55 And that they have agreed to the Bill, intituled, *An Act for appointing Commissioners to examine and state the Accounts of Provisions, and the Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the Cherokee and Catawba Indians, and for other Purposes therein mentioned; with some Amendments, to which they desire the Concurrence of this House*.

The



The House immediately proceeded to the Consideration of the said Amendments, and the same was read and agreed to.

*Ordered*, That Mr Jones do go up with a Message to the Council and acquaint them therewith.

Upon a *Motion* made,

*Resolved*, That an Address be made to his Honor the Governor to desire him to notify to the Commanding Officer of his Majesty's Forces, with whom the 1<sup>st</sup> Virginia Regiment is now joined, that it is the Opinion of this House, that the present defenceless Situation of the Frontiers of this Colony requires the Assistance of the said 1<sup>st</sup> Regiment, and to desire that he will give Orders for the Marching of the said Regiment into this Colony immediately after the 1<sup>st</sup> Day of *December* next, and that Mr Landon Carter do wait on his Honor with the said Address.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 12th of October. 32 Geo. II. 1758.

MR William Digges reported, that the Committee appointed had, according to Order, examined the enrolled Bills, and rectified such Mistakes as were found therein, and that they were truly enrolled.

*Ordered*, That Mr Digges do carry up the enrolled Bills to the Council for their inspection.

Upon a *Motion* made,

*Resolved*, That an humble Address be presented to the Governor, to acquaint his Honor, that it is the sense and the Desire of this House that no more than four Companies of Rangers be stationed on the Frontiers of this Colony, this House not being willing to provide for the Pay of more than 400 Men for that Service; and that Mr Richard Henry Lee do wait on his Honor with the said Address.

Upon a *Motion* made,

*Ordered*, That a Committee be appointed to agree with the Printer for providing all necessary Materials and printing the Treasury Notes, to be emitted pursuant to an Act passed this Session of Assembly, intituled, *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*, and that the said Committee consist of the following Gentlemen, viz. Mr Whiting, Mr Page, Mr William Digges, Mr Dudley Digges, Mr Burwell, Mr Harwood, Mr Attorney, Mr Wythe, Mr Benjamin Waller and Mr Nicholas, or any six of them.

A Message from the Council by Mr Walthoe.

*That they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

A Message from the Governor was delivered by Mr Walthoe.

Mr Speaker,

*The Governor commands the immediate Attendance of this House in the Council Chamber, and that you bring with you such Bills and Resolves as are ready for his Assent.*

Mr Speaker with the House went up accordingly, and the Governor was pleased to give his assent to the following Bills,\* viz. 56

1. *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned.*

2. *For appointing Commissioners to examine and state the Accounts of Provisions, and the Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the Cherokee and Catawba Indians, and for other Purposes therein mentioned.*

For

\*All the laws passed at this session are given in Hening, Vol. VII, pp. 171-249.



3. For erecting a Town on the Land of Lewis Stephens, in the County of Frederick, for enlarging the Town of Winchester, and for erecting a Town on the Lands of Nicholas Minor, in the County of Loudoun.

4. For continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act.

5. For preventing fraudulent Gifts of Slaves.

6. To enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money for the ensuing Year.

7. For repealing an Act, intituled, An Act for the more effectual preventing and repelling the hostile Incurfions of the Indians at Enmity with the Inhabitants of this Colony.

8. For further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.

9. For appointing a Treasurer.

10. For settling the Inspectors Salaries, and the Rents of the public Warehouses, for the ensuing Year.

11. For dissolving the Vestry of Hamilton Parish, in the County of Prince William.

12. For vesting certain Lands therein mentioned in Philip Johnson, Gentleman, adding the same to the City of Williamsburg, and for other Purposes therein mentioned.

13. For paying the Burgeffes Wages for the last and this present Session of Assembly in Money.

His Honor likewise gave his Assent to the following Resolves of the House of Burgeffes, which the Council had agreed to, viz.

1. For paying the several Officers of the General Assembly the respective Sums of Money therein mentioned.

2. For paying William Hunter, Printer to the Public, a Salary of £300 per Annum.

3. For paying Peter Pelham, Organist, the Sum of £25.

57

And then his Honor was pleased to make the following Speech.

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,

The Provision you have made for the Protection of the Frontiers, during this short Session, claims the Thanks of your Country; and the great Regard and Attention you have shewed to me, during the Course of it, demand my particular Acknowledgments.

That I may employ the Forces designed for your Defence in the most proper and efficacious Manner, I shall make it my Business, during the Recess of the General Assembly, to get at the best Knowledge I am able to attain in relation to the Frontiers, and the proper Stations in which to place the Troops.

Gentlemen of the House of Burgeffes,

The Caution you have taken in raising the Supplies, that the People may not be oppressed at this Time, is a fresh Instance of your Tendernefs for your Country; and it shall be my Endeavour to follow so good an Example, by taking all possible Care that not one Penny be expended wantonly: And you may be assured, that I will take a proper Opportunity to write to the Commander in Chief of his Majesty's Forces, agreeably to the Address I received from you for that Purpose.

Gentleman of the Council and of the House of Burgeffes,

I hope we shall always meet in the same happy Disposition of Mind to do all in our Power to defend the People, and remove all Obstructions to the Trade of this Colony, by every Measure which will conduce thereto.

That you may have a proper Time for the Discharge of your private Functions, it is convenient you should now be prorogued, and you are accordingly prorogued to the Third Thursday in December next.



# JOURNAL

of the

## HOUSE OF BURGESSES

1758

November Session





# JOURNAL

of the

## HOUSE OF BURGESSES

**A**T a General Assembly begun and held at the Capitol in WILLIAMSBURG on THURSDAY the 14<sup>th</sup> Day of SEPTEMBER in the XXXII Year of the Reign of our Sovereign Lord King GEORGE the second and in the Year of our Lord 1758. And from thence continued by Prorogation to THURSDAY the 9<sup>th</sup> of NOVEMBER in the Year of our Lord 1758; And then held at the Capitol in WILLIAMSBURG being the second Session of this Assembly.

**Thursday, the 9th of November, 32 Geo. II. 1758.**

**A** Message from the Governor was delivered by Mr Walthoe.

Mr Speaker, and Gentlemen of the House of Burgesses.

The Governor commands the immediate Attendance of your House in the Council Chamber.

Accordingly Mr Speaker, with the House, went up to attend the Governor.

And being returned, reported, That he, with the House, had attended the Governor in the Council Chamber; and that his Honor was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read to the House, and afterwards delivered in at the Table, where it was again read, and is as follows.

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgesses,

It was very far from my Intention, when we last parted, to call you together again so soon; but by a Letter I have received from Colonel Byrd, I find our Forces will most probably be in Action before Fort Du Quesne, at the very time prescribed for their Return into this Colony; I therefore thought it not only expedient, but necessary, to summon you on this Occasion.

The withdrawing our Regiments from the rest of his Majesty's Forces at a time when the Event of the Expedition (for which only, Part of them were raised) is at the Crisis, would be the greatest Disservice to the common Cause, and at the same Time subject this Colony to all the Censure Disappointment can invent for the Failure of the Expedition, if that should be the fatal Consequence of such Measures.

But, when I reflect on the whole Tenor of your Conduct during the Course of the War, I feel the strongest Conviction that I need not use these, or any other Arguments, to induce you, to make such Alterations, in the Disposal of, and Provision for, the Regiments, as the present Circumstances require: I am very sensible that one of our Regiments cannot be continued beyond the first of December, without Breach of the public Faith, which I shall always deem too sacred to be touched; but I have great Reason to hope that Honor will supply the Place of

Law,

*Law, and that this Body of Virginians will be influenced by the first, to do that voluntarily, which the last cannot compel them to.*

*I have nothing to add, but to recommend to you the utmost Expedition; for if your Resolves are not known to the Army before the first of December, all will be frustrated: And, in order to remove all Obstacles which may occasion Delay, I am desirous (on my Part) to waive all Forms of Ceremony, which Custom may have introduced in Relation to myself.*

Mr Speaker also reported, that the Governor had delivered to him a Letter of the 22<sup>d</sup> of October last, from General Forbes, also a Letter from Colonel Byrd, of the 21<sup>st</sup> of October, which he had desired him to lay before this House; and he accordingly delivered them in at the Table, where they were read, and ordered to lye on the Table.

Upon a Motion made,

*Resolved*, That this House will resolve itself into a Committee, to consider of the Governor's Speech immediately.

*Ordered*, That the Letters from General Forbes and Colonel Byrd be referred to the said Committee.

And then the House resolved itself into a Committee upon the said Speech and Letters, and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Attorney reported, that the Committee had had the said Speech and Letters under their Consideration, and gone through the same, and had come to a Resolution thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered it in at the Table, where the same was again twice read, and agreed to by the House, as follows.

*Resolved*, That the Act intituled, *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*, ought to be amended.

*Ordered*, That Mr Attorney, Mr Landon Carter, Mr Bland and Mr Mason, prepare and bring in a Bill, or Bills, pursuant to the said Resolution.

*Ordered*, That the Reverend Mr William Yates be continued Chaplain to this House, and that he attend to read Prayers every Morning at Nine o'Clock.

*Ordered*, That the several Door Keepers be continued in their respective Offices, and that they give their Attendance accordingly.

The House being informed, that Mr William Ball, a Burgess for the County of Lancaster, was by the Grand Jury of Inquests, for the Body of this Colony, in October General Court last, presented for uttering forged and counterfeit Treasury Notes, knowing them to be so:

*Resolved*, That the said William Ball be expelled this House, and that he be forever rendered incapable of sitting or voting in this House.

*Ordered*, That an Address be made to the Governor, to order a new Writ to issue for the electing a Burgess to serve in this present General Assembly, for the County of Lancaster, in the Room of the said William Ball; and that Mr Charles Carter, Jun. do wait on him with the same.

Upon a Motion made,

*Ordered*, That all such Claims and Propositions as were referred from the last to this Session of Assembly, and also all such Claims and Propositions as shall be certified to this Session of Assembly, be referred to the Consideration of the next Session of Assembly.

Mr Attorney, from the Committee appointed, presented to the House, according to Order, a Bill To Amend an Act, intituled, *An Act for the Defence of the Frontiers of the Colony, and for other Purposes therein mentioned*, and the same was read the first Time, and ordered to be read a second Time.

*And then the House adjourned till To-morrow Morning Ten o'Clock.*

**Friday.**



## Friday, the 10th of November, 32 Geo. 11. 1758.

**A** Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A Bill, To amend an Act, intituled, *An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*, was read a second Time.

Ordered, That the said Bill be ingrossed, and read a third Time.

Upon the *Petition* of *Thomas Penman*, Keeper of the Public Goal, praying the Continuance of his former Salary.

Resolved, That the additional Sum of £ 15 be paid to the said *Thomas Penman*, over and above his usual Salary of £ 25 per Annum.

Resolved, That 10 lbs. of Tobacco per Day be allowed the said *Thomas Perman* for every criminal committed to the said Goal, during such Criminal's Imprisonment, from this Time to the End of the next Session of Assembly.

Upon the *Petition* of *William Hunter*, Printer, praying the Continuance of his Salary.

Resolved, That the Sum of £ 300 per Annum be allowed to the said *William Hunter*, to continue to the End of the next Session of Assembly, as a full Consideration for printing the Journal of the House of Burgeffes, printing the Laws of each Session, and sending thirteen of them to every County Court Clerk, one of which to be half-bound for the Use of the Court, printing Inspectors Notes and Books, Proclamations and other public Advertisements.

Ordered, That the said Resolve be ingrossed, and that Mr *Waller* do carry it to the Council for their Concurrence.

An ingrossed Bill, intituled, *An Act to amend an Act, intituled An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*, was read a third Time, and the Question being put that the said Bill do pass, the House divided, Yeas go forth,

Yeas 44.  
Noes 8.

Resolved, That the Bill do pass.

Ordered, That Mr *Attorney* do carry up the said Bill to the Council for their Concurrence.

A Message from the Council by Mr *Walthoe*.

That they have agreed to the Bill, intituled, *An Act to amend an Act, intituled, An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned*.

Also to the Resolve of this House, for allowing *William Hunter, Printer, the Sum of £ 300 per Annum, for the Services therein mentioned*.

And then the House adjourned till To-morrow Morning Ten o'Clock.

## Saturday. the 11th of November, 32 Geo. 11. 1758.

**O**RDERED, That a Committee be appointed (to examine the inrolled Bill and Resolve) of the following Persons, viz. Mr *William Digges*, and Mr *Willis Ridick*. Mr *Digges* reported, That the Committee appointed had, according to Order examined the inrolled Bill and Resolve, and rectified such Mistakes as were found therein, and that they were truly inrolled.

Ordered, That Mr *Digges* do carry them up to the Council for their Inspection.

Upon a Motion made,

Resolved,

*Resolved*, That the Speaker be directed (when the House shall be commanded by the Governor to attend him with the inrolled Bill for his Assent) to return his Honor the Thanks of this House for waving the Ceremony of an Address due to him at the Opening of this Session, for the Sake of Dispatch, and to assure him we have done every Thing, as far as in our Power, to co-operate with his Honor's Ardency for the common Cause; and to desire that his Honor will be pleased to signify to General *Forbes*, That the Expectation of Success from his Conduct has been the sole Motive of agreeing to postpone the March of the first Regiment to the Frontiers of this Colony.

A Message from the Council by Mr *Walthoe*,

*That they have inspected the inrolled Bill and Resolve, and are satisfied they are truly inrolled.*

A Message from the Governor by Mr *Walthoe*,

Mr *Speaker*,

*The Governor commands the immediate Attendance of your House in the Council Chamber, and that you bring with you such Bills as are ready for his Assent.*

Accordingly the Speaker, with the House, accordingly went up, and his Honor was pleased to give his Assent to the \*Act, intituled, *An Act to amend an Act, intituled, An Act for the Defence of the Frontiers of this Colony, and for other Purposes therein mentioned.*

*Also to the Resolve, For allowing William Hunter, Printer, £ 300 per Annum, for the Services therein mentioned.*

And then his Honor was pleased to make the following proroguing Speech.

Mr *Speaker*, and Gentlemen of the House of Burgeesses.

*The Readiness you have shewn to do all I recommend to you, the Diligence you have used in doing it, and the unusual Step you have taken to demonstrate your Respect to me, must strongly affect a feeling Mind; and I do assure you, that these, and all other Acts of Affection which I have received from this Colony, have made such an Impression as will not easily be effaced, on a Heart already disposed to make you happy. I will certainly inform the Commander in Chief of all you desire in your Address: And as I judge it will be agreeable to your Inclinations to be prorogued, you are accordingly prorogued to the third Thursday in December next.*

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\* *Hening*, Vol. VII, pp. 251-253.

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## HOUSE OF BURGESSES

1759

February Session





# JOURNAL

of the

## HOUSE OF BURGESSES

Thursday, the 22nd of February, 32 Geo. II. 1759.

**A** Message from the Governor was delivered by Mr Walthoe.  
Mr Speaker, and Gentlemen of the House of BurgesSES.

*The Governor commands the immediate Attendance of your House in the Council Chamber.*

Accordingly Mr Speaker, with the House, went up to attend the Governor.

And being returned, reported, That the House had attended the Governor in the Council Chamber; and that the Governor was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read to the House, and afterwards delivered in at the Table, where it was again read, and is as follows:

*Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of BurgesSES.*

*It gives me the greatest Pleasure that I can open this Session of Assembly with my Congratulations to you on the happy Event of the Surrender of Fort Du Quesne to his Majesty's Forces, under the Command of Brigadier-General Forbes; An Event of the utmost Importance to this Colony, as it brings with it the Advantages of opening an Intercourse of Friendship and Commerce with the Western Indian Nations on the Banks of the Ohio, and puts his Majesty in Possession of a very extensive, fine and fertile Tract of Country.*

*It is a Duty we owe to his Majesty, to ourselves, and our Posterity, that we should use our best Endeavours, and take the strongest Precaution to keep our Possession of these Benefits uninterrupted. The Indians are desirous to embrace our Friendship, to obtain which they have made offers; but at the same Time have frankly told us, we are not to expect the Continuance of it any longer than we can preserve the Country, and protect them from the Revenge of the now exasperated French: And that we may effectually do this, it is necessary we should drive these restless, ambitious, perfidious Neighbours from all their Settlements in these Parts, from which they can annoy and disturb us. To this Purpose Major-General Amherst, a Commander who has already proved himself a brave, prudent and careful Officer, whom his Majesty has been pleased to appoint to command his Troops in North America (a fresh Instance of his paternal Care of these Colonies) has wrote to me to desire I would use my Interest with you, Gentlemen, that you would join his Majesty's Forces with the same Number of Men which you paid last Year. Here I find myself at a Loss. I well know the great Debt this Colony has contracted; I well know the Chearfulness with which you have undertaken every Thing recommended to you: The First, deters me from using any Arguments; The Last, renders all needless, and I can only say, that by employing your Efforts this Year, it is probable we may, by following the repeated Blows already given, be able to drive the Enemy from our Frontiers, and so it may become the last of this burthensome and expensive War.*

*I should not do Justice to the brave Men who have hazarded their Lives in defence of their Country, and whose Conduct has done Honor to it, if I did not represent to you the naked Condition in which they are at present: Out of Commiseration of their wretched State, I have ordered each of them a Coat to be made of Blanket, to protect them, in some Measure, from the Inclemencies and Hardships of a Winter Season: This is all I thought proper to do, as they stand provided for till the First of May only; but if they are continued in Pay this will be far from sufficient; they must be entirely new clothed, it being now more than two Years since their last Cloathing. Whatever Resolutions you may come to on this Head, the sooner they are made known the better, that all may be ready by the usual Time of Troops taking the Field.*

*Gentlemen of the House of Burgeses,*

*The Measures which I have recommended to your Consideration, and possibly some others which may occur to yourselves to be necessary for the Safety of the Colony, will create a large Expence; in the providing for which, I am confident, from the Experience I have already had of your tender Concern for the People, that you will have a due Attention to their Ease and Comfort; who, as they are the Strength of a Country, ought to be the principal Care of the Legislature.*

*Gentlemen of the Council, and of the House of Burgeses,*

*From a Desire to lessen the Expences of the Country as much as possible, I have dismissed and ordered Home all the Militia, and every other Body of Men, excepting the Regiment and the Four Companies of Rangers established by Law. I have contracted for the Provisions of all these on the cheapest Terms, both that the Men may be well supplied, and the Country freed from the Hardships attending an Impress. And for the Defence of the Frontiers I have disposed the Troops according to the best Information I could get, to procure which I have neglected no Means in my Power; and I sincerely hope the End intended will be fully and effectually answered, by my having stationed the whole Regiment, excepting the Detachment left in Fort Du Quesne by Order of Brigadier-General Forbes, in the most proper and commodious Forts and Posts in the several Counties of Hampshire, Frederick, and Augusta; and the Rangers in the Counties of Bedford and Halifax.*

*I have informed you of every Thing which appears to me necessary for your present Deliberation; and I hope a steady Unanimity will prevail in all your Counsels for the Interests and Support of this Colony, in the Prosperity of which I feel myself sincerely and strongly interested.*

*Resolved, That an humble Address be presented to his Honor, to return him Thanks for his affectionate Speech: To express the Pleasure we receive from the late good Success of his Majesty's Arms, and to assure him that our Affection to his Majesty, our Gratitude to his Honor, and our Regard to the true Interest of this Colony, will lead us to do every Thing in our Power that may tend to produce greater Glory to his Majesty, and a safe and honorable Peace to his Dominions.*

*Ordered, That a Committee be appointed to draw up an Address to the Governor, pursuant to the said Resolution; and it is referred to Mr Attorney and Mr Landon Carter to prepare and bring in the same.*

*Mr Speaker informed the House, That the Governor had delivered him a Letter, of the eighteenth of September last, from Mr Secretary Pitt; also a Letter, of the thirteenth of December, from Major-General Amherst; and desired him to lay them before the House.*

*And the said Letters were read, and ordered to lie on the Table.*

*Resolved, That this House will take the Governor's Speech into Consideration Tomorrow.*

*Ordered, That the Reverend Mr William Yates be continued Chaplain to this House and that he attend to read Prayers every Morning at Ten o'Clock.*

*Ordered,*



*Ordered*, That *William Francis, Thomas Broadrib, James Lavie, and James Yates*, be continued in their respective Offices of Door keepers to this House; and that they give their Attendance accordingly.

A new *Member*, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

*And then the House adjourned till To-morrow Morning, Eleven o'Clock.*

## Friday, the 23rd of February. 32 Geo. II. 1759.

THE Order of the Day being read, for the House to take the Governor's Speech into Consideration.

*Resolved*, That this House will take the said Speech into their Consideration To-morrow.

*Ordered*, That a Committee of Privileges and Elections be appointed of the following Persons, viz.

Mr. Attorney,

Mr Charles Carter,  
Mr Bland,  
Mr Landon Carter,  
Mr William Digges,  
Mr Harrison,  
Mr Whiting,

Mr Benjamin Waller,  
Mr Randolph,  
Mr Page,  
Mr Dudley Digges,  
Mr Nicholas,  
Mr Wythe,

and Mr Richard Henry Lee.

And they are to meet and adjourn from Day to Day, and to examine, in the first Place, all Returns of Writs for electing Burgeesses to serve in this present General Assembly, and to compare the same with the Form prescribed by Law; and to take into their Consideration all such Matters as shall or may come in Question touching Returns, Elections, and Privileges, and to report their Proceedings, with their Opinions thereupon, from Time to Time, to the House: And the said Committee is to have Power to send for Persons, Papers, and Records for their Information.

*Ordered*, That a Committee of Propositions and Grievances be appointed of the following Persons, viz.

Mr Charles Carter,

Mr Bland,  
Mr Attorney,  
Mr Randolph,  
Mr Landon Carter,  
Mr William Digges,  
Mr Bowler Cocke,  
Mr Wythe,  
Mr Dandridge,  
Mr Lewis Burwell,  
Mr Braxton,

Mr Benjamin Waller,  
Mr Cary,  
Mr Harrison,  
Mr Page  
Mr Dudley Digges,  
Mr Eppes,  
Mr Nicholas,  
Mr Charles Carter, of Lancaster,  
Mr Washington,  
Mr Allen,

and Mr Francis Lightfoot Lee.

And they are to meet and adjourn from Day to Day, and to take into their Consideration all Propositions and Grievances that shall come legally certified to this Assembly, and to report their Proceedings, with their Opinions thereupon, from Time to Time, to the House: And all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee, of Course. And the said Committee is to have Power to send for Persons, Papers and Records for their Information.

*Ordered*,

*Ordered*, That a Committee of public Claims be appointed of the following Persons, *viz.*

Mr <i>Bland</i> ,	Mr <i>Wilson</i> ,
Mr <i>Harwood</i> ,	Mr <i>Richard Booker</i> ,
Mr <i>Cave</i> ,	Mr <i>William Thornton</i> ,
Mr <i>Walker</i> ,	Mr <i>Thomas Johnston</i> ,
Mr <i>Richard Lee</i> ,	Mr <i>Howard</i> ,
Mr <i>Ruffin</i> ,	Mr <i>Upshaw</i> ,
Mr <i>Waring</i> ,	Mr <i>Simmons</i> ,
Mr <i>Wade</i> ,	

and Mr *Hartwell Cocke*.

And they are to meet and adjourn from Day to Day, and to take into their Consideration all public Claims which shall be presented to the House during this Session, and to report their Proceedings, with their Opinions thereupon to the House, when they have gone through the said Claims: And all Persons who have any Claims are to deliver them to the Clerk, and he is to deliver them to the said Committee of Course; and they are to have Power to send for Persons, Papers, and Records for their Information.

*Ordered*, That a Committee for Courts of Justice be appointed of the following Persons, *viz.*

Mr <i>Landon Carter</i> ,	Mr <i>Wythe</i> ,
Mr <i>John Tabb</i> ,	Mr <i>Henry Lee</i> ,
Mr <i>Slaughter</i> ,	Mr <i>Gaines</i> ,
Mr <i>Lewis</i> ,	

and Mr *Legrand*.

And they are to meet and adjourn from Day to Day, and to take into their Consideration all Matters relating to Courts of Justice, and such other Matters as shall, from Time to Time, be referred to them, and report their Proceedings, with their Opinions thereupon, to the House. And the said Committee is to inspect the Journals of the third and fourth Sessions of the last General Assembly, and the first and second Sessions of this present General Assembly, and draw up a State of the Matters then depending and undetermined, and the Progress that was made therein, and report the same to the House: That they do also examine what Laws have expired since the last Session, and inspect such temporary Laws as will expire with the End of this Session, or are near expiring, and report the same to the House, with their Opinions which of them are fit to be revived and continued.

*Ordered*, That a Committee of Trade be appointed of the following Persons, *viz.*

Mr <i>Harrison</i> ,	Mr <i>Edmund Booker</i> ,
Mr <i>Joseph Bridger</i> ,	Mr <i>Christian</i> ,
Mr <i>James Bridger</i> ,	Mr <i>Hairstone</i> ,
Mr <i>Kennon</i> ,	Mr <i>Charles Carter</i> ,
Mr <i>Terry</i> ,	

and Mr *Smith*.

And they are to meet and adjourn from Day to Day, and to take under their Consideration all Things relating to the Trade of this Colony, and all Matters that shall be, from Time to Time, to them referred, and to report their Proceedings, with their Opinions thereupon, to the House: and the said Committee is to have Power to send for Persons, Papers, and Records for their Information.

*Resolved*, That Seven of the Committee of Privileges and Elections, Eleven of the Committee of Propositions and Grievances, and Five of any other Committee, be a sufficient Number to make a Committee.

*Ordered*, That Mr *John Palmer* be continued Clerk to the Committee of Privileges and Elections and Propositions and Grievances: Mr *Miles Cary* Clerk to the Committee of

of Claims, and M<sup>r</sup> *Thomas Everard* Clerk to the Committee for Courts of Justice; and that they give their Attendance accordingly.

A *Petition* of *George Davenport*, humbly praying that he may be appointed Clerk to the Committee of Trade, which Office is now vacant, was presented to the House and read, and thereupon,

Ordered, That the said *George Davenport* be appointed Clerk to the said Committee, and that he give his Attendance accordingly.

And then the House adjourned till To-morrow Morning, Eleven o'Clock.

## Saturday, the 24th of February. 32 Geo. II. 1759.

M<sup>r</sup> *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Petitions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

Resolved, That the Petitions from the Counties of *Fairfax*, *Goochland*, and *Suffex*, praying that the Price of Tobacco may be settled, be rejected.

Resolved, That the Petition from the County of *Augusta*, praying that the Frontiers may be better guarded, be rejected.

Resolved, That the Petition of *Margaret Boyd*, praying that a Ferry over *Dan* River, appointed by the Courts of *Lunenburg* and *Halifax*, may be established by Law, is reasonable.

Ordered, That a Bill be brought in pursuant to the last Resolution; and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

Ordered, That M<sup>r</sup> *Woodbridge* and M<sup>r</sup> *Pendleton* be added to the Committee of Privileges and Elections, and Propositions and Grievances.

M<sup>r</sup> *Thomas Walker*, a Member of this House, having informed the House, That his Conduct, as Contractor for Provisions for the Forces in the Pay of this Colony, stationed in the County of *Augusta*, had been censured, and praying that it might be publicly enquired into.

Ordered, That the Committee of Privileges and Elections do enquire into the same, and report their Opinion thereupon to the House.

M<sup>r</sup> *Landon Carter*, from the Committee for Courts of Justice, reported, That the Committee had, according to Order, inspected the Journals of the third and fourth Sessions of the last General Assembly; also the Journals of the first and second Session of this present General Assembly; and had prepared and drawn up a State of the Matters then depending and undetermined, and the Progress that was made therein, and had agreed upon a Report, which he read in his Place, and then delivered in at the Table, where the same was again read, and is as follows:

That it appears to this Committee, That a Petition of *William Tyler*, praying that a Ferry may be established from his Land in *Westmoreland*, over *Potowmack*, to *Cedar Point* in *Maryland*, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of the Inhabitants of *Cople* and Parts adjacent, praying that the Warehouses for Inspection of Tobacco, on *Yeocomoco* River, may be fixed on the Land of *Daniel Tebbs*; and a Petition of fundry Inhabitants of the County of *Northumberland*, living on the Branches of the said River, in Opposition thereto, were referred to the Consideration of the Committee of Propositions and Grievances to examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House: That the said Committee reported, that they had had the same under their Consideration, and resolved, in which the House agreed, that the further Consideration of the said Petition ought to be referred to the next Session of Assembly.

That



That the feveral *Claims* of *Dominic Gougar*, *Alexander Walker*, *John Gordon*, and *Henry Hazard*, for taking up Runaways, were prefented to the Houfe and received, and referred to the Confideration of the next Seffion of Affembly.

That upon a *Motion* made, it was ordered, That all fuch Claims and Propofitions as were referred from the laft Affembly to the firft Seffion of this prefent General Affembly, and alfo all fuch Claims and Propofitions as fhould be certified to the faid firft Seffion of Affembly (except fuch as relate to the Militia drawn out into aétual Service) be referred to the Confideration of the next Seffion of Affembly.

That a *Petition* of fundry Inhabitants of the County of *Culpeper*, praying that a Town may be laid off and eftablifhed on the Land of *Robert Coleman*, in the faid County, was prefented to the Houfe and read, and referred to the Confideration of the next Seffion of Affembly.

That a *Petition* of fundry Inhabitants of that Part of the Parifh of *Suffolk*, in the County of *Nanfemond*, called the Lower Parifh, complaining of fundry illegal Proceedings in the Veftry of the faid Parifh, and praying that the fame may be diffolved.

Alfo a *Petition* of fundry of the Veftry and other Inhabitants of that Part of the faid Parifh of *Suffolk*, formerly called *Chuckatuck*, in Oppofition to the faid Petition, were feverally prefented to the Houfe and read, and referred to the Confideration of the next Seffion of Affembly.

That a *Petition* of fundry Inhabitants, on the Branches of *Rappahannock* Creek, in the County of *Richmond*, in Oppofition to a Petition to be prefented to the Houfe, for difcontinuing a public Warehouse for Infpection of Tobacco at the Head of the faid Creek, called *Beckwith's* Warehouse.

Alfo a *Petition* of fundry Inhabitants of the Parifh of *Antrim* in the County of *Halifax*, complaining of Neglect, Mifmanagement, and illegal Proceedings of the Veftry of the faid Parifh, and praying that the fame may be diffolved, were feverally prefented to the Houfe and read, and referred to the Confideration of the next Seffion of Affembly.

That a *Petition* of fundry Inhabitants of the Parifh of *Overwharton*, in the County of *Stafford*, complaining of divers oppreffive and illegal Proceedings in the Veftry of the faid Parifh, and praying that the fame may be diffolved, was prefented to the Houfe and read, and referred to the Confideration of the next Seffion of Affembly.

That a *Petition* of *Henry Blagrove*, complaining of an undue Election and Return of *Mr Clement Read* and *Mr Matthew Marrable*, to ferve as Burgeffes in this prefent General Affembly for the County of *Lunenburg*.

Alfo a *Petition* of *William Mead*, complaining of an undue Election and Return of *Samuel Hairstone* and *Zachariah Burnley*, to ferve as Burgeffes in this prefent General Affembly for the County of *Bedford*, were feverally prefented to the Houfe and read, and referred to the Committee of Privileges and Elections to examine into the Allegations of the faid Petitions, and report the fame, with their Opinion thereupon, to the Houfe: That the faid Committee reported, they had had under their Confideration the Petition of the faid *Henry Blagrove*, and had come to feveral Relolutions which were read, and agreed to by the Houfe, as follow:

*Resolved*, That the Petitioner and fitting Members be at Liberty to examine Witneffes before *Daniel Claiborne*, *Richard Witton*, *Thomas Tabb*, and *Joseph Williams*, of the County of *Lunenburg*, Gentlemen, or any three of them, touching any Treats or Entertainments given by the fitting Members or their Agents to the Freeholders of the faid County, after the Writ for electing Burgeffes for the faid County was iffued, and touching any riotous or illegal Proceedings at the Time of the Election.

That the *Pctitioner* and *Mr Marrable* be at Liberty to examine Witneffes before the fame Perfons touching the faid *Mr Marrable's* engaging by Writing under his Hand to do fomething extraordinary for the Freeholders of the upper Settlement in the faid County, or to forfeit a large Sum of Money in Order to gain their Votes.

That

That the *Petitioner* do give to the fitting Members, respectively, or their Agents, ten Days Notice of the Time and Place he intends to examine his Witneffes, and that he then give them Notice of the Nature of any riotous or illegal Practices of the fitting Members or others, concerning which he intends to examine Witneffes before the said Commiffioners; and in Cafe the fitting Members, or either of them, fhall examine any Witneffes, that they do give the Petitioners the like Notice of the Time and Place of fuch Examination; and that the said Commiffioners do return all the Depofitions to the next Seffion of Affembly.

And the said *Committee* alfo reported, That they had had under their Confideration the Petition of the said *William Mead*, and had come to feveral Refolutions, which were read and agreed to by the Houfe, as follow:

*Resolved*, That the *Petitioner* and Mr *Burnley* be at Liberty to examine Witneffes before *Robert Barber*, *Benjamin Howard*, and *John Phelps*, of the County of *Bedford*, and *William Megginfon*, of the County of *Albemarle*, Gentlemen, or any three of them, touching any Treats or Entertainments given by Mr *Burnley*, or his Agents, to the Freeholders of the said County of *Bedford*, after the Writ for electing Burgeffes for the County was iffued.

That the *Petitioner* and Mr *Hairstone* be at Liberty to examine Witneffes before the fame Perfons, touching Mr *Hairstone's* difcharging one *Patrick Napier*, a Vagrant, drafted purfuant to an Act of Affembly, made in the twenty-ninth Year of his prefent Majefty's Reign, intituled, *An Act for granting an Aid to his Majefty, for the better Protection of this Colony, and for other Purpofes therein mentioned*.

That the *Petitioner* and fitting Members be at Liberty to examine Witneffes before the fame Perfons, touching any Irregularities or illegal Practices or Proceedings ufed in taking the Poll at the said Election.

That the *Petitioner* do give to the fitting Members, respectively, ten Days Notice of the Time and Place he intends to examine Witneffes touching the said Election, and that he do then give them Notice of the Nature of the Irregularities and illegal Practices or Proceedings ufed in taking the Poll at the said Election, concerning which he intends to examine Witneffes before the said Commiffioners; and in Cafe the fitting Members fhall examine any Witneffes, that they do give the *Petitioner* the like Notice of the Time and Place of fuch Examination; and that the said Commiffioners do return all the Depofitions to the next Seffion of Affembly.

9 It likewife appears to this *Committee* that a Petition of *Benjamin Grymes*, Gentleman, praying that an Act may pafs for eftablifhing a Ferry from a public Quay Lot in the Town of *Fredericksburg*, to the Land of Mr *Anthony Strother*, in the County of *King George*.

Alfo a Petition of the Directors and Truftees of the said Town, in Oppofition to the said Petition.

Alfo a Petition of *James Hunter*, Son and Heir of *William Hunter*, late of the said Town, deceased, in Oppofition to the Petition of the said *Benjamin Grymes*.

Alfo a Petition of fundry Inhabitants of the Counties of *Dinwiddie* and *Chefterfield*, fetting forth, that by an Act paffed in the twenty-fifth Year of his prefent Majefty's Reign, Truftees were appointed to receive Subfcriptions for building a Bridge over *Appomattox* River, which was accordingly built; and that by the fame Act it was declared that the said Bridge fhould be maintained no longer than it could be done by Subfcription, and that the Juftices of neither of the said Counties fhould be obliged at any Time afterwards to build a Bridge over the said River at that Place, at the Charge of their Counties, and praying that fo much of the said Act as relates to the maintaining the said Bridge no longer than it can be done by Subfcription, may be repealed.

Alfo a Petition of fundry Inhabitants of the Town of *Peterfburg*, and Counties of *Dinwiddie* and *Chefterfield*, in Oppofition thereto.

Alfo



Also a *Petition* of fundry Inhabitants of *Elizabeth City County*, in Behalf of the Poor of the said County, complaining of fundry illegal Proceedings of the Trustees of *Eaton's Charity School* in the said County.

Also a *Petition* of fundry Inhabitants on both Sides of *Roanoke River*, in the County of *Lunenburg*, praying that a Ferry may be established from the land of *Francis Wagstaff* on the one Side, to the Land of *Richard Palmer* on the other.

Also a *Petition* of *William Royster*, praying that a Ferry may be established from the Land of the Honorable *William Byrd Esq*; on the North Side of *Roanoke River*, to his Land on the South Side.

Also a *Petition* of *Nathaniel Terry*, praying that a Ferry may be established from his Land, on the North Side of *Dan River*, in the County of *Halifax*, to the Land of *William Fuqua*, on the South Side thereof.

Also a *Petition* of *William Roberts*, praying that a Ferry may be established from the Land of *James Cocke*, deceased, on the South Side of the River *Staunton*, in the County of *Halifax*, to the Land of *Richard Banks*, on the North Side thereof.

Also a *Petition* of *Margaret Boyd*, praying that a Ferry may be established from her Land, on the South Side of *Dan River*, in the County of *Halifax*, to her own Land on the North Side of the said River, were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Joseph Starling*, setting forth, That in the Year 1756, being Under-Sheriff and Collector of the public Levy in *King* and *Queen* County, there remained a Depositum in his Hands of four Thousand five Hundred twenty-one and an Half Pounds of Tobacco to be by him accounted for at the laying of the next public Levy, which Tobacco he delivered to the respective Inspectors, and received from them the current Price of Transfer Tobacco that Year, amounting to £28. 2s. 4d. That at the last public Levy the aforementioned Depositum was levied of the Sheriff in Tobacco, and the Petitioner, not having the Tobacco in his Hands, was obliged to answer for the same, at the Rate of twenty-one Shillings and Six pence per Hundred, by which he became a Loser of £20. 9s. 8d. and praying to be reimbursed for the said Loss.

Also a *Petition* of fundry Persons, Inhabitants on the Rivers *Mattaponi* and *Pamunkey*, praying that they may be at Liberty to set Hedges for catching Fish in the said Rivers, for their Support in these necessitous Times.

Also a *Petition* of fundry Inhabitants of the several Counties of *Stafford*, *King George*, and *Spotsylvania* praying that the Act of Assembly, intituled, *An Act for the establishing County Courts, and regulating and settling the Proceedings therein*, for so much thereof as relates to the taxing an Attorney's Fee on Judgments for small Debts, recovered by Petition, may be amended, and that the said Fee may be allowed in all such Judgments, were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of fundry Inhabitants of the County of *Prince William*, praying that the said County may be divided, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of fundry Inhabitants of the County of *Orange*, setting forth, That they were formerly well supplied with Fish in the River *Rapidan* in that County, which Benefit is now taken from them by a Mill lately erected by Mr *John Willis* over the said River, and praying that the said Mill may be suppressed.

Also a *Petition* of *Bernard Moore*, complaining of an undue Election and Return of *Peter Robinson* and Mr *Harry Gaines*, to serve as Burgesses in this present General Assembly for the County of *King William*.

Also a *Petition* of *John Langhorn* setting forth, That in the Year 1756 he was Sheriff of *Warwick* County, when a Depositum of 2060 lbs. of Tobacco remained in his Hands, at the laying of the County Levy, due to the County, for which he was obliged to receive Cash, at the Rate of two Pence a Pound, since which the said Quantity of Tobacco is levied



levied on him, though the Price was advanced to twenty-five Shillings per Hundred, and praying to be allowed the Difference, were severally presented to the House and read, and referred to the Consideration of the next Assembly.

That a *Petition* of fundry Inhabitants of that Part of *Albemarle* County that lies in *Fredericksville* Parish, in Opposition to a *Petition* to be presented to this Assembly, for reuniting them to the Parish of *Saint Anne*.

Also a *Petition* of the Inhabitants of *Halifax* County, setting forth, That the Law now in Force concerning Strays is very deficient, particularly for Want of a Register of Advertisements of Strays, and praying that an Act may pass to direct the appointing of a Person in every County to keep a Register of Advertisements of Strays, and that every Person taking up a Stray may be obliged to have the same entered in such Register, with a particular Description of such Stray, were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of Mr *John Bell*, complaining of an undue Election and Return of Mr *Henry Peyton*, to serve as a Burgess in this present General Assembly for the County of *Prince William*, was presented to the House and read, and referred to the Committee of Privileges and Elections to examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House: That the said Committee reported, They had had the same under their Consideration, and had come to several Resolutions, which were read and agreed to by the House, as follow:

*Resolved*, That the Persons who voted at the said Election, whose Freeholds are questioned, either by the Petitioner or sitting Member, be examined before *Foushee Tebbs*, *John Baylis*, and *Houison Hooe*, Gentlemen, and *James Scott*, Clerk, or any three of them, whether they be Freeholders or not, except such of them as did swear to their Freeholds at the said Election. That the Petitioner and sitting Member be at Liberty to examine Witneses before the same Persons, as to the Freeholds of any Person who voted at the said Election, although such Persons swore to their Freeholds at such Election, or shall swear to the same at such Examination; and that they be at Liberty to examine how long such Voters have been in Possession of and paid Quit-Rents for the Lands and Tenements in Right of which they voted at the said Election.

That the *Petitioner* do give to the sitting Member, or his Agents, ten Days Notice of the Time and Place he intends to examine Witneses touching the said Election, and that he do at the same Time deliver to the sitting Member, or his Agents, a List of the Persons intended to be by him objected to, who voted for the sitting Member, giving in the said List the several Heads of Objection, distinguishing the same against the Names of the Voters excepted to: That the sitting Member do give to the Petitioner the like Notice and List; and that the said Commissioners do return the Depositions by them taken to the next Session of Assembly.

It also appears to this *Committee* that a *Petition* of *Thompson Swan*, setting forth, That in the Month of *October*, 1757, in travelling he happened to meet with a Deserter, whom he thought it his Duty to apprehend, and in order to intimidate him and make him surrender, he presented a Pistol at him, but that the Deserter seized him, and in the Struggle the Pistol was discharged, and shot the Deserter in the Thigh: That the Petitioner then put him under the Care of a Surgeon, and was at the Expence of ten Pounds fifteen Shillings in his Cure, and praying to be reimbursed the said Sum by the public, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That the several *Claims* of *William Robins*, *David Via*, *William Price*, *David Smith*, *William Robertson*, *Stephen Garrett*, *John Brown*, *John Smith*, *John Vaughan*, *Paces Turner* Assignee of *Joseph Godwin*, *Thomas Barbour*, *Tillman Weaver* Assignee of *Jacob Weaver*, *Valentine Bethell*, *George Neavill*, *Samuel Boush*, *James Thrailkeld*, *William Jett*, *Francis Thornton*, *Richard Poyne*, *William Johnston*, *John Jones* Assignee of *James Herndon*, *John Tankersley*, *Hays Whitloe*, *William Rayborn*, *Mitchell Baughan*, *Elizabeth Gray*,

Gray, Thomas Attwell. Jeconias Randal, James Mullin, William Barksdale Affignee of John Burnett, William Johnston, Richard Vernon, William Ashford, Robert Jones, Samuel Bland, Samuel Puryear, James Gray, Garrett Ridley, John Puryear, John Palmer, Lewis Smith, John Street Jun. Benjamin Cocke, Thomas Wall Affignee of Joseph Baylis, Richard Neale, William Dunn, Francis Kirkley, Andrew Hutchinson, John Sandige, Abraham Eftes, Hugh Sanders, Thomas Brocks, Joseph Jeffrys, Robert Coleman, Edward Herndon, Henry Gatewood, Alexander Spence Head, and Lawrence Young, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly. 12

That the *Claims* of Martin Hardin, for 172 lbs. of Tobacco levied on him by the last public Levy, in the County of *Prince William*, for a Runaway taken up and said to belong to him by Mistake; also the several Claims of Robert Henning, John Strother, William Johnston, James Crain, Samuel Rice, John Row, and William Bell, for taking up Deserters from the *Virginia* Regiment; also the Claim of William Maclin, for Ferriage of Tributary Indians, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

That upon a *Motion* made, it was ordered, That all such Claims and Propositions as were referred from the first to the second Session of this present General Assembly, and all such Claims and Propositions as should be certified to the said second Session of Assembly, be referred to the Consideration of the next Session of Assembly.

*Ordered*, That the several Petitions mentioned in the said Report, complaining of undue Elections and returns of Burgeffes to serve in the General Assembly, and all other Matters therein mentioned relating to Privileges and Elections, be referred to the Committee of Privileges and Elections: That all public Claims, referred from the several Sessions of Assembly, in the said Report expressed, to the Consideration of this Session of Assembly, and also the several Petitions of Joseph Starling, John Langhorn, and Thompson Swann therein set forth, be referred to the Committee of Claims: And that all Propositions, therein also mentioned, referred to the Consideration of this Session of Assembly, be referred to the Committee of Propositions and Grievances.

Several *Claims* of Nathaniel Crawley, George Camp, and Robert Crawley, for Maintenance of our friendly Indians, during their Stay in *Williamsburg*, were severally presented to the House and received.

*Ordered*, That the said Claims be referred to the Consideration of the Committee of Claims.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill, To explain an Act, intituled, *An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year*; and it is referred to Mr Pendleton and Mr Henry Lee to prepare and bring in the same.

A *Petition* of George Brofffield, setting forth, That his Negroe Slave Sampson was lately committed to the Goal of *Amelia* County on Suspicion of Murder, where he died before the Day appointed for his Trial; but was valued by the Justices, who examined into his Fact to £90, at the Time of his Committment; and praying to be allowed for the said Slave, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims. 13

The *Order* of the Day being read, for the House to take into their Consideration the Governor's Speech,

*Resolved*, That this House will take the said Speech into Consideration on *Monday* next.

Mr Landon Carter reported, That the Committee appointed had, according to Order, prepared an Address to the Governor, which he read in his Place, and afterwards delivered



delivered in at the Table, where the same was again twice read, and agreed to by the House, and is as follows:

Sir,

*We his Majesty's most dutiful Subjects, the Burgeffes of Virginia, beg Leave to return your Honor our sincere Thanks for your kind Speech, at the Opening of this Session.*

*The Recovery of Fort Du Quefne, as it has been the constant Object of our Wishes, must necessarily give a Pleasure equal to the several Advantages that will arise from it to this and the rest of the British Colonies.*

*We are sensible of the Concern that your Honor must feel in recommending a Matter that will increase the great Debt already contracted, on Account of the War; and we flatter ourselves, if in any Instance we fall short of Major-General Amherst's Expectations, it will not be imputed to a Want of Duty and Affection to his Majesty, Gratitude to your Honor for that tender Regard you have hitherto shewn for our Prosperity, or a strict Attachment to the true Interest of those we represent, but to our Poverty alone, which has often obstructed many a noble and honest Intention.*

*Ordered, That the said Address be fairly transcribed and presented by the whole House.*

*Ordered, That the Committee who prepared the same wait on the Governor to know his Pleasure when they shall attend his Honor to present it.*

*And then the House adjourned till Monday Morning Eleven o'Clock.*

## Monday. the 26th of February. 32 Geo. II. 1759.

**A** Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Mr Landon Carter, from the Committee for Courts of Justice, reported, That the Committee had, according to Order, examined what Laws have expired since the last Session of Assembly, and inspected such temporary Laws as will expire at or soon after this Session of Assembly, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read and agreed to by the House, as follows:

*Resolved, That the Act of Assembly, made in the twenty-seventh Year of his present Majesty's Reign, intituled, An Act for continuing the Act, intituled, An Act for reviving the Duty upon Slaves, for a Term therein mentioned, which will expire on the twentieth Day of April, 1760, ought to be further continued.*

*Resolved, That the Act of Assembly, made in the twenty-eighth Year of his present Majesty's Reign, intituled, An Act for continuing so much of the Act of Assembly, intituled, An Act for the Encouragement and Protection of the Settlers upon the Waters of the Mississippi as relates to the raising and imposing, collecting and paying the Duties therein mentioned, which will expire on the fourteenth Day of February, 1760, ought to be further continued, with Amendments.*

*Resolved, That the Act of Assembly, made in the thirtieth Year of his present Majesty's Reign, intituled, An Act for the better regulating and disciplining the Militia, which will expire on the eighth Day of June, 1760, ought to be continued.*

*Resolved, That the Act of Assembly, made in the thirtieth Year of his present Majesty's Reign, intituled, An Act for further continuing certain Acts of Assembly, therein mentioned, which will expire on the 10<sup>th</sup> Day of June, 1761, ought to be further continued, with Amendments.*

*Resolved,*



*Resolved*, That the Act of Assembly, made in the thirtieth Year of his present Majesty's Reign, intituled, *An Act for continuing the Act, intituled, An Act for laying an additional Duty on Rum and other distilled Spirits, not being of the Produce of his Majesty's Sugar Islands*, which will expire on the first Day of August, 1761, ought to be further continued.

*Resolved*, That the Act of Assembly, made in the thirty-second Year of his present Majesty's Reign, intituled, *An Act for continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, which will expire on the eighth Day of June 1760, ought to be further continued.

*Resolved*, That the Act of Assembly, made in the thirty-second Year of his present Majesty's Reign, intituled, *An Act for further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers fees, and for other Purposes therein mentioned* which will expire on the twelfth Day of April, 1760, ought to be further continued, with Amendments.

*Ordered*, That a Bill or Bills be brought in pursuant to the first, second, fourth and fifth Resolutions, and it is referred to the Committee of Trade to prepare and bring in the same.

*Ordered*, That a Bill or Bills be brought in pursuant to the third, sixth, and seventh Resolutions, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

A *Petition of Crosby Eger*, setting forth, That he was taken Prisoner by the Enemy in General Braddock's Engagement, where he received several Wounds, and was removed from Fort to Fort till he arrived at *Quebec*, from whence, after a tedious Imprisonment, he was sent to *Plymouth*, and there remained two Months in the Hospital, in an ill State of Health. That on his Return from thence to *Boston*, he was again taken Prisoner by a *French Privateer*, and carried to *Bourdeaux*, where he remained six Months, and is but late returned to this country, being now entirely destitute, and rendered incapable of providing for himself and Family, and praying the Consideration of this House.

Also a *Petition of William Shaw*, setting forth, That in the Month of November, 1756, he was taken Prisoner on the Frontiers of this Colony, and carried to Fort *Du Quesne*, where he was tortured in the most cruel and barbarous Manner, his Toes being cut off one by one, and Day after Day, by Order of the *French Commandant*. From thence, after a long Imprisonment, and the most inhuman Treatment, he was sent to *Quebec*, and from thence he at length arrived in *England*: That he is lately returned here, in a helpless Situation, unable to procure his Livelihood, and praying the Consideration of this House, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

A *Claim of Ashton Lambkin*, for taking up a Defenter therein mentioned.

Also a *Claim of Richard Murry* for the same Service.

Also a *Claim of William Pierce*, for taking up a Runaway therein mentioned.

Also a *Claim of Joseph Cabbell*, for the same Service.

Also a *Claim of Joseph Perkins*, for the same Service.

Also a *Claim of James Dillard*, for the same Service.

Also a *Claim of William Cabbell*, for the same Service, were severally presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.

Upon a *Motion* made,

*Resolved*, *Nemine contradicente*,

That the Thanks of this House be given to *George Washington*, Esq; a Member of this House, late Colonel of the first *Virginia Regiment*, for his faithful Services to his Majesty,

Majesty, and this Colony, and for his brave and steady Behaviour, from the first Encroachments and Hostilities of the *French* and their *Indians*, to his Resignation, after the happy Reduction of *Fort Du Quesne*: And accordingly Mr *Speaker*, from the Chair, returned him (he standing in his Place) the Thanks of the House.

The Order of the Day being read for the House to take the Governor's Speech into Consideration.

*Resolved*, That this House will resolve itself into a Committee upon the said Speech.

*Ordered*, That the several Letters laid before the House by Desire of his Honor the Governor, on *Thursday* last, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee upon the said Speech and Letters, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the same under their Consideration, and had come to a Resolution thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered it in at the Table, where it was again twice read and agreed to by the House, as follows:

<sup>16</sup> *Resolved*, That the Regiment now in the Pay of this Colony be compleated to one Thousand Men; and continued in the Service till the first Day of *December* next.

Mr *Carter* also informed the House, That the Committee not having Time to go through the Governor's Speech, had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech To-morrow.

Upon a Motion made,

*Ordered*, That an humble Address be made to the Governor to desire his Honor will be pleased to order the Letters that have mutually passed between General *Forbes* and himself, in Relation to the detaining our Forces at *Fort Du Quesne* longer than the Time appointed by Law, to be laid before the House; and that Mr *Charles Carter* do wait on him with the said Address.

*Ordered*, That Mr *Baylor* be added to the Committee of Privileges and Elections and Propositions and Grievances; Mr *Martin*, Mr *Robinson*, Mr *Read*, Mr *Bolling*, Mr *Charles Carter*, Jun. of *King George*, Mr *Syme*, and Mr *Kennon*, to the Committee of Propositions and Grievances, Mr *Read*, Mr *Spencer Ball*, Mr *Edmund Allen*, Mr *Kendal*, Mr *Bolling*, Mr *Goodrich*, and Mr *Price* to the Committee of Claims; Mr *Read*, Mr *George Johnston*, Mr *Cabbell*, Mr *Slaughter*, Mr *Wager*, Mr *Clayborne*, Mr *David Mason*, Mr *Heale*, and Mr *Edmunds*, to the Committee for Courts of Justice; and Mr *Tatem* to the Committee of Trade.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Tuesday, the 27th of February. 32 Geo. II. 1759.

UPON a Motion made,

*Ordered*, That Mr *Bernard Moore* have Leave to withdraw his Petition complaining of an undue Election and Return of Mr *Peter Robinson* and Mr *Harry Gaines*, to serve as Burgesses in this present General Assembly, for the County of *King William*; and that the Committee of Privileges and Elections be discharged from proceeding any further on the said Petition.

Mr *Charles Carter* reported, That he had, according to Order, waited on the Governor with the Address of this House, Yesterday agreed upon, and that his Honor was pleased to say, he would order Copies of the Letters therein mentioned to be laid before the House as soon as they could be prepared.

Several Claims of *Richard Hancock*, *Charles Burrus*, *Henry Slaughter*, *Thomas Wright*, *Henry Cobbit*, *West Gregory*, *John Griffin*, *William Miller*, *John Vice*, *Joseph Nicholas*, *Luke Covington*, *Francis Thorp*, *Thomas Gouldman*, *Samuel Davis*, *James Banks*,



*Banks*, and *Nicholas Gentry*, for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.

*Mr Pendleton*, from the Committee appointed, presented to the House, according to Order, a Bill, To explain an Act, intituled, *An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year*; and the same was read the first Time, and ordered to be read a second Time. 17

A *Petition* of the Inhabitants of the Town of *Fredericksburg*, setting forth, That there are several Lots laid out adjoining the said Town, most of which are already built upon and improved, and that the said Town is daily increasing in Inhabitants, and praying that an Act may pass for enlarging the said Town, by adding the aforesaid Lots thereto, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to *Mr Nicholas*, *Mr Wythe*, *Mr Bland*, and *Mr Lewis*, to prepare and bring in the same.

A *Petition* of the Freeholders and Inhabitants of the Town of *Fredericksburg*, in Opposition to a Petition of *Mr Benjamin Grymes* presented to the House the first Session of this Assembly, praying that an Act might pass for establishing a Ferry from a public Quay Lot in the said Town, to the Land of *Anthony Strother*, in the County of *King George*.

Also a *Petition* of fundry Inhabitants of the County of *Spotsylvania*, setting forth, That the Court-house of the said County, as it is now situated in the Town of *Fredericksburg*, is very inconvenient to many of the Inhabitants of that County, the said Town standing near one End of the County, and praying that an Act may pass to remove the said Court-house nearer the Centre of the County.

Also a *Petition* of fundry Inhabitants of that Part of *Albemarle* County, that lies in *Fredericksville* Parish, in Opposition to a Petition of the Inhabitants of *Saint Anne's* Parish, to be presented to this House for reuniting that Part of the said Parish of *Fredericksville* to the said Parish of *Saint Anne*, were severally presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances; That they do examine into the several Matters thereof, and report the same, with their Opinions thereupon, to the House.

*Mr Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration the Petitions of *William Shaw* and *Crosby Eger*, to them referred, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Allegations of the said Petitions are true; and that the said *William Shaw* ought to be allowed the Sum of £60, and the said *Crosby Eger* the Sum of £15, as a Recompense for their Wounds received and Hardships suffered in the Service of the Colony.

*Ordered*, That it be an Instruction to the said Committee to make Allowances to the said *Shaw* and *Eger* in the Book of Claims, pursuant to the said Resolution.

A *Petition* of *William Braffitt*, setting forth, That he was lately a Soldier in Captain *Stewart's* Company, in the *Virginia* Regiment, and being ordered out in pursuit of some Deferters, came up with them in the Night, and from them received a Wound which occasioned the Loss of one of his Legs, after which he was discharged from the said Regiment as unfit for Service, and praying the Consideration of this House, was presented to the House and read. 18

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Upon



Upon a *Motion* made,

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding any further on the Act *For further continuing an Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*; and it is referred to the Committee for Courts of Justice to prepare and bring in a Bill or Bills for further continuing and amending the said Act.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Petitions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *William Tyler*, to establish a Ferry from his Land, in the County of *Westmoreland*, over *Potomack River*, to *Cedar Point*, in *Maryland*, is reasonable.

*Resolved*, That the Petition from the County of *Halifax*, praying that the Law concerning Strays may be amended, is reasonable.

*Resolved*, That the Petition of the Ordinary keepers in the Town of *York*, praying that they may be allowed to give Credit to seafaring Men and Travellers for more than Twenty Shillings in one Year, is reasonable.

*Resolved*, That the Petition from the Counties of *King George*, *Stafford*, and *Spotsylvania*, praying that a Lawyer's Fee may be taxed in all Cafes brought by Petition in the County Courts, be rejected.

*Ordered*, That it be an Instruction to the Committee of Propositions and Grievances, to whom it is referred, to bring in a Bill For establishing a Ferry over *Staunton River*, in the County of *Halifax*; That they receive a Clause or Clauses pursuant to the first Resolution.

*Ordered*, That a Bill or Bills be brought in pursuant to the second Resolution; and it is referred to the Committees of Propositions and Grievances to prepare and bring in the same.

*Ordered*, That a Bill or Bills be brought in pursuant to the third Resolution; and it is referred to the Members for *York County* to prepare and bring in the same.

*Ordered*, That it be an Instruction to the said Committee to receive a Clause or Clauses for allowing the like Liberty to the Ordinary keepers in all Towns in this Colony, established by Law.

*Ordered*, That Mr *George Johnston* be added to the Committee of Propositions and Grievances, and Mr *Travis* to the Committees of Propositions and Grievances and Trade.

The *Order* of the Day being read,

The House again resolved itself into a Committee to take into their further Consideration the Governor's Speech, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Speech under their further Consideration, and gone through the same; and that they had come to two Resolutions thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That a Sum, not exceeding £26,298. 17. 8, be raised for the Clothing, Subfisting, Provision, and Recruiting of the Regiment in the Service of this Colony, until the first Day of *December* next.

*Resolved*, That the four Companies of Rangers now in the Service of this Colony, be immediately disbanded.

Upon a *Motion* made,

*Resolved*, That this House will resolve itself into a Committee, to consider of Ways and Means for raising the Sum of £26,298. 17. 8, pursuant to the said Resolution of the Committee, as agreed to by the House, To-morrow.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

Wednesday.

Wednesday, the 28th of February, 32 Geo. II. 1759.

THE House being informed, That Mr *Allen Howard*, a Member of this House did, in a Letter to one of his Constituents, write, and likewise in a public Company, speak the following Words, viz. "The last Assembly agreed to give the Commissioners for settling the Militia Accounts, and Damages done by the Indians, £40 per Day each; and that is the Way the Assembly squanders the Country's Money."

*Ordered*, That the said Information be referred to the Committee of Privileges and Elections; That they do examine into the Matter thereof, and report the same, with their Opinions thereupon, to the House.

*Ordered*, That Mr *Presley Thornton* be added to the Committees of Privileges and Elections, and Propositions and Grievances; Mr *Aitchison* to the Committee of Trade; Mr *Jones* to the Committee of Claims and Courts of Justice; Mr *Peyton* and Mr *Hambleton* to the Committee of Claims; and Mr *Richard Henry Lee* to the Committee of Propositions and Grievances.

Mr *Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill, For further continuing the Act, intituled, *An Act for reviving the Duty upon Slaves, to be paid by the Buyers, for a Term therein mentioned*.

Also a Bill, For further continuing an Act, intituled, *An Act for laying an additional Duty on Rum, and other distilled Spirits not being of the Produce of his Majesty's Sugar Islands*.

And the said Bills were severally read the first Time, and ordered to be read a second Time.

Mr *Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration, the Petition of *William Braffitt*, to them referred, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Allegations of the said Petition are true, and that the said *William Braffitt* ought to be allowed the Sum of £30 as a Recompence for the Loss of his Leg, occasioned by a Wound received in the Service of the Colony.

*Ordered*, That it be an Instruction to the Committee of Claims to make an Allowance to the said *William Braffitt* in the Book of Claims, pursuant to the said Resolution.

A Claim of *Benjamin Martin*, for a Mare impressed, and lost in the Service of this Colony.

Also an Account of *Charles Jennings*, Gentleman, Sheriff of *Elizabeth City County*, for 180 lbs. of Tobacco levied in the last public Levy, on *Charles Neilson* who was gone out of the Colony before the Collection was made, and which the said Sheriff was made chargeable with at £1 per Hundred.

Also an Account of the Damages done to the Arms and Accoutrements of fundry Persons which were impressed into his Majesty's Service by Order of the Commanding Officer of the Militia of *Amelia County*, were severally presented to the House and received and referred to the Consideration of the Committee of Claims.

A Petition of fundry Inhabitants of the County of *Westmoreland*, setting forth, That the present Warehouses for the Inspection of Tobacco in that County are very inconvenient to them, and praying that an Act may pass for establishing a Warehouse at *Stratford*, on the Land of the Honorable *Philip Ludwell Lee*, Esquire.

Also a Petition of the Inspectors at *Quantico Warehouse*, in *Prince William County*, setting forth, That the Quantity of Tobacco inspected at that Warehouse is of late greatly encreased, and praying an Addition to their Salaries, were severally presented to the House and read.

*Ordered*,



*Ordered*, That the said Petitions be referred to the Committee of Propositions and Grievances; that they do examine into the several Matters thereof, and report the same, with their Opinions thereupon, to the House.

A *Petition* of the Right Honorable *Thomas*, Lord *Fairfax*, setting forth, That he has lately laid off 173 Lots, adjoining the Town of *Winchester*; in the County of *Frederick*, most of which are already disposed of, and built upon, and praying that an Act may pass for adding them to the said Town, was presented to the House and read.

*Ordered*, That it be an Instruction to the Committee to whom it was referred to bring in a Bill for enlarging the Town of *Fredericksburg*, that they receive a Clause or Clauses pursuant to the Prayer of the said Petition.

Several *Claims* of *Christopher Dudley*, *Christopher Christian*, and *John Davis*, for taking up Runaways therein mentioned, were severally presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.

21 The *Order* of the Day being read,

The House resolved itself into a Committee to consider of Ways and Means for raising the Sum of £26, 298. 17. 8, agreeable to the Resolution of the Committee, Yesterday agreed to by the House, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had come to a Resolution thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Sum of £26,298. 17. 8, to be raised for the Clothing, Subsistence, Provision, and Recruiting the Regiment in the Service of this Colony, be raised by a Tax of two Shillings on every tithable Person, between the first Day of *April*, in the Years 1764 and 1765; and a further Tax of two Shillings on every tithable Person, between the first Day of *April*, in the Years 1765 and 1766; and likewise a Tax of two Shillings on every Hoghead of Tobacco shipped between the twentieth Day of *October*, in the Years 1764 and 1765; and the like Tax on every Hoghead of Tobacco shipped between the twentieth Day of *October*, in the Years 1765 and 1766.

*Ordered*, That a Bill or Bills be brought in pursuant to the said Resolution, and also to the several Resolutions of the Committee agreed to by the House on *Monday* and *Tuesday* last; and it is referred to Mr *Charles Carter*, Mr *Bland*, Mr *Landon Carter*, Mr *Randolph*, Mr *Waller*, Mr *Pendleton*, Mr *Nicholas*, and Mr *Wythe* to prepare and bring in the same.

*Ordered*, That it be an Instruction to the said Committee to receive a Clause or Clauses for the emitting Treasury Notes for the said Sum of £26,298. 17. 8, to be levied in Pursuance of the aforementioned Resolution.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For the Encouragement of Arts and Manufactures in this Colony, and it is referred to Mr *Charles Carter* to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 1st of March, 32 Geo. II. 1759.

MR *Bland*, from the Committee of Claims, reported, That the Committee had had under their Consideration several Matters to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee that the Petition of *Joseph Starling* is reasonable, and that he ought to be allowed the Sum of £19. 14. 7, the Loss he sustained



supported by the Tobacco deposited in the Hands of the Sheriff of *King* and *Queen* County, in his Petition mentioned.

*Resolved*, That it is the Opinion of this Committee that *Richard Booker*, Gentleman, Commanding Officer of the County of *Amelia*, ought to be paid the Sum of £8. 13. 6, for Damage done to the Arms impressed by him for the Use of the Militia of the said County. 22

*Resolved*, That it is the Opinion of this Committee that the Petition of *Thompson Swann* ought to be rejected.

The *first* and *second* Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

The *last* Resolution being also read a second Time and the Question put that the House agree thereto,

It passed in the Negative.

*Resolved*, That the said Petition is reasonable.

*Resolved*, That the said *Thompson Swann* be allowed the Sum of £10. 15 for the Services in his Petition mentioned.

*Ordered*, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

*Mr Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill, For further continuing an Act, intituled, *An Act for further continuing certain Acts of Assembly therein mentioned*; and the same was read the first Time, and ordered to be read a second Time.

*Ordered*, That *Mr Webb* be added to the Committee of Claims; *Mr Lemuel Riddick* to the Committees of Privileges and Elections, Propositions and Grievances, and Trade; *Mr Henry Lee* and *Mr Claiborne* to the Committee of Propositions and Grievances, and *Mr George Johnston* to the Committee of Privileges and Elections.

Several Claims of *William Dodd*, for Provisions furnished for the Militia of *Fairfax* County, and others in his Majesty's Service, were presented to the House and received, and referred to the Consideration of the Committee of Claims.

*Mr Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill, For continuing an Act, intituled, *An Act for the better regulating and disciplining the Militia*.

Also a Bill, For continuing an Act, intituled, *An Act for continuing an Act, intituled, An Act for reducing the several Acts for making Provision against invasions and Insurrections into one Act*.

And the said Bills were severally read the first Time, and ordered to be read a second Time.

A Petition of *William Alcock* and *Nicholas Ware*, Inspectors at *Conway's* Warehouses, in the County of *Caroline*, setting forth, That the said Warehouses were lately robbed of 2050 lbs. of nett Tobacco, for which they have been obliged to pay the Sum of £18. 19. 6, and praying the Consideration of this House therein.

Also a Petition of *John Frederick Miller*, setting forth, That by Order of the Commanding Officer of the Militia of *Halifax* County, a Fort was erected on *May's* River, on the Petitioner's Land, which enclosed his Dwelling House and other Houses, and was garrisoned by a Company of Militia, who, to render it more secure from the Approaches and Attacks of the Enemy, cut down a large Orchard, burnt one House and 1600 Fence Rails, and made use of 518 Feet of Plank about the Fort, besides doing him many other Damages, by which Means the Petitioner has lost all Benefit of his Plantation, which is still in the Possession of the Militia and Rangers, and praying the Consideration of this House. 23

Also a Petition of *Thomas Black*, praying to be allowed for a Servant Man enlisted into the Royal American Regiment, for which he has never received any Satisfaction, were severally presented to the House and read.

*Ordered*,

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims; That they do examine into the several Allegations thereof, and report the same, with their Opinions thereupon, to the House.

A *Petition* of fundry Merchants and Planters, Shippers from, and Purchasers of Tobacco at *Cabbin Point* Warehouses, in the County of *Surry*, setting forth, That by Means of the Shallowness of the Creek where the said Warehouses now stand, it is almost impracticable, without great Delay, Trouble and Expence to get Tobacco from thence, and praying that the said Warehouses may be abolished, and new ones established at *Low Point*, on the Lands of Mr *John Cocke*, about a Mile lower down the said Creek, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; That they do examine into the Allegations of the said Petition, and report the same, with their Opinions thereupon, to the House.

A *Petition* of fundry Inhabitants of the County of *Albemarle*, setting forth, That by Means of the present Scarcity of Corn, and the exorbitant Prices exacted by those who have it to sell, many of them must be reduced to the greatest Distress without the Interposition of the Assembly, and praying that such a mean Price may be settled so as not to leave it in the Power of the few who have it to sell to impose on the Necessities of the many who are obliged to buy; was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Cabbell* to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 2nd of March, 32 Geo. II. 1759.

MR *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions, from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table where the same were again twice read, and agreed to by the House, as follows:

*Resolved*, That the Petition of *Nathaniel Terry*, to establish a Ferry, appointed by the County Court of *Halifax*, over *Dan River*, from his Land on the North Side, to *Fuqua's* on the South Side, is reasonable.

*Resolved*, That the Proposition from the County of *Elizabeth City* for the better regulating *Eaton's* Charity School, is reasonable.

<sup>24</sup> *Resolved*, That the Petition of the Inhabitants of the Parish of *Saint Anne*, in the County of *Albemarle*, for dissolving the Vestry of the said Parish, is reasonable.

*Resolved*, That the Petition from the County of *Northampton*, for sending all free Negroes out of the Colony, be rejected.

*Resolved*, That the Propositions from the Town of *Fredericksburg* and County of *Northampton*, for regulating the Price of Tobacco, be rejected.

*Resolved*, That the Petition from the Parish of *Tillotson*, in the County of *Albemarle*, for dividing that County, be rejected.

*Resolved*, That the Petition of the Inhabitants of the Parish of *Saint Anne*, in the County of *Albemarle*, for altering the Bounds of that Parish, be rejected.

*Resolved*, That the Petition of the Inhabitants of *Fredericksville* Parish, in the same County, in Opposition thereto, is reasonable,

*Resolved*, That the Proposition from the County of *Albemarle* for obliging all Pedlars to quit their Employment, or on refusing, to enlist them as Soldiers, be rejected.

*Ordered*, That it be an Instruction to the Committee of Propositions and Grievances, to whom it is referred to bring in a Bill, For establishing a Ferry over *Staunton River*, in *Halifax* County, that they receive a Clause or Clauses pursuant to the first Resolution.

*Ordered*,



*Ordered*, That a Bill or Bills be brought in pursuant to the second Resolution, and it is referred to Mr *Wythe* and the Members for *Elizabeth City* County to prepare and bring in the same.

*Ordered*, That a Bill or Bills be brought in pursuant to the third Resolution, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

A *Petition* of Mr *Allen Howard*, was presented to the House and read, setting forth, That he is very sorry to have incurred the Displeasure of the House, by inadvertently saying that the Commissioners in his County for settling Militia Accounts, were to be allowed £40 for that Service, which proceeded from a Mistake in the Petitioner, and not with any Design to reflect upon this House, or any particular Member thereof: That the other Words, said to be spoken by the Petitioner, and complained of to the House, the Petitioner does not at this Time remember to have spoken: However he is very unwilling to give this House the Trouble of making an Enquiry therein; and as it is possible he might have unadvisedly spoken them, as the same has been averred by a Gentleman of Credit, he humbly submits himself to the House, protesting that he did not intend to derogate from the Honor of the House.

*Resolved*, That this House is satisfied with the said Acknowledgment.

*Ordered*, That the Committee of Privileges and Elections be discharged from proceeding any further in their Enquiry on the Information given to this House against the said Mr *Howard*.

A *Petition* of *Thomas Penman*, Keeper of the public Goal, setting forth, That his Salary for maintaining the Criminals in the said Goal, which at a former Session of Assembly was increased, to continue to the End of this Session, and praying that the said additional Allowance may be still continued to him, was presented to the House and read.

*Resolved*, That the additional Sum of £15 be paid to the said *Thomas Penman* every 25 Year, over and above his usual Salary of £25.

*Resolved*, That 10 lbs. of Tobacco per Day be allowed the said *Thomas Penman* for every Criminal committed to the said Goal, during such Criminal's Imprisonment, from this Time to the End of the next Session of Assembly.

A *Petition* of *Tunstal Banks*, setting forth, That he is seized in Fee Tail of 659 Acres of Land, or thereabouts, lying in the County of *King* and *Queen*, commonly called *Mantapike*, in which his Mother holds her Dower: That he is seized in Fee Simple of 1000 Acres of Land in the County of *King William*; That it will be greatly to his Advantage, and that of his Posterity, to dock the Intail of the said Land called *Mantapike*, and settle the said Land in *King William*, with certain Slaves, which will be of greater Value, to the same Uses; and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Braxton* to prepare and bring in the same.

Upon a *Motion* made,

*Ordered*, That all such Accounts as shall be transmitted to the House by the several Commissioners appointed by the Act of Assembly, intituled, *An Act for appointing Commissioners to examine and state the Accounts of Provisions, and the Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the Cherokee and Catawba Indians and for other Purposes therein mentioned*, be referred to the Consideration of the Committee of Claims.

Several Claims of *James Hardgrave*, *John Kirkpatrick*, *Samuel Moody*, *John Refs*, and *Richard Coleman*, for taking up Runaways therein mentioned were severally presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.

*Ordered*,



*Ordered*, That Mr *Veale* and Mr *Taliaferro* be added to the Committee for Courts of Justice.

A Bill To explain an Act, intituled, *An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money for the ensuing Year*, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A *Petition* of *Allen Macrae*, Merchant, setting forth, That in the Year——, he had nine Hoghead of Tobacco in *Acquia* Warehouse which had passed Inspection: That in the Month of *July*, in that Year, the said Tobacco was overflowed in the Warehouse by a Fresh in the River, by Means whereof he lost 884 lbs. of Tobacco, and expended £2. 5 in picking, repacking, and prizing the same, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Consideration of the Committee of Claims; That they examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A *Petition* of sundry Inhabitants of the Parish of *Saint Patrick*, in the County of *Prince Edward*, complaining of several illegal and oppressive Proceedings of the Vestry of the said Parish, and praying that the same may be dissolved.

Also a *Petition* of sundry Inhabitants of the Parish of *Cameron*, in the County of *Loudoun*, to the same Purpose, were severally presented to the House and received.

*Ordered*, That the said *Petitions* be referred to the Committee of Propositions and Grievances; That they do examine into the several Matters thereof, and report the same, with their Opinion thereupon, to the House.

A Bill For further continuing an Act, intituled, *An Act for laying an additional Duty on Rum and other distilled Spirits, not being of the Produce of his Majesty's Sugar Islands*, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

Mr *Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration several Matters to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That *George Camp* ought to be allowed the Sum of £12. 15: That *Robert Crawley* ought to be allowed the Sum of £12. 10: And that *Nathaniel Crawley* ought to be allowed the Sum of £38. 6, for boarding the *Indians* in their respective Accounts mentioned.

*Resolved*, That the *Petition* of *Thomas Black* be rejected.

*Resolved*, That *John Frederick Miller* ought to be allowed the Sum of £20. 6. 8, as a Satisfaction for the Damage done his Plantation, Houses, and Crop, and for the Materials made Use of in building the Fort, in his *Petition* mentioned.

*Ordered*, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the first and third Resolutions.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Saturday, the 3d of March, 32 Geo. II. 1759.

**O**RDERED, That Mr *Martin* be added to the Committee of Claims, Mr *Landon Carter* from the Committee for Courts of Justice, presented to the House, according to Order, a Bill For continuing and amending the Act, intituled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *Edward Carter*, Guardian to the Orphans of *James Carter*, of the County of *Westmoreland*, deceased, setting forth, That a Slave belonging to the said Decedent's Estate, being legally out-lawed as a Runaway, was afterwards found dead in the Woods,  
and

and praying to be allowed for the said Slave, was presented to the House and read: And the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition of Collin Campbell*, setting forth, That he being appointed by the late Governor *Dinwiddie* to recruit for the Royal American Regiment, did, amongst others, enlist a Servant Man belonging to Mr *Roger Dixon*, and another belonging to *William Green*, of *King George*, who severally brought Suite against him for recovering the Value of their said Servants, and for which they obtained Judgments, amounting in the whole to £62. 18. 2, which he is obliged to pay out of his own Purse. That the Petitioner conceiving he was warranted to enlist the said Servants under an Act of Parliament for that Purpose provided, and not being guilty of any intentional Breach of the Laws of the Colony, or any designed Injury to any Person, but solely moved by a sincere Desire of serving his Country, refers his Case to the Consideration of the House, and praying such Relief therein as shall be thought just, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

Several *Accounts of Thomas Tabb and William Boyd*, for Necessaries by them furnished for the public Service, were presented to the House and received.

*Ordered*, That the said Accounts be referred to the Consideration of the Committee of Claims; That they do examine into the several Articles and Vouchers thereof, and report the same, with their Opinions thereupon, to the House.

A *Claim of Richard Whyte*, for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claim in the Book of Claims.

A *Bill* For continuing an Act, intituled, *An Act for continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, was read a second Time, and committed to the Committee of Propositions and Grievances.

A *Bill* For continuing an Act, intituled, *An Act for the better regulating and disciplining the Militia*, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Petitions, from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition from the County of *Loudoun*, for a Law to enable the Justices of that County, annually, to settle at what Price the Inhabitants may pay the Sheriff and Collectors their Tobacco Dues in Money, is reasonable.

*Resolved*, That that Part of the Petition from the County of *Nansemond*, praying that the Assembly will pass a Law to enable them to discharge their Levies and Officers Fees in Money, be rejected.

*Resolved*, That the other Part of the said Petition, praying that Owners of Slaves may be refrained from giving them general Licenses to deal for themselves, is reasonable.

*Resolved*, That the Petition from the Counties of *King William* and *King and Queen*, praying that they may be allowed to set Hedges in the Rivers *Pamunkey* and *Mattapony*, to catch Fish, be rejected.

*Resolved*, That the Petitions from the Counties of *Elizabeth City*, *Dinwiddie*, and *Lunenburg*, praying that the Price of Tobacco may be settled, be rejected.

*Resolved*, That the Petition from the County of *Prince Edward*, praying that an Addition may be made to that County, be rejected.

*Resolved*,



*Resolved*, That the Petition from the County *Brunswick* for a Division of that County be rejected.

*Resolved*, That the Petition from the County of *Prince William*, for a Division of that County, is reasonable.

*Resolved*, That the Petition from the County of *Northampton*, praying a Law may pass for destroying Crows and Squirrels on the Eastern Shore, be rejected.

*Resolved*, That the Petition from the same County, praying that Inspectors may make all Transfer Hogheads of Tobacco by them paid away to weigh 1000 lbs. nett, be rejected.

*Ordered*, That a Bill or Bills be brought in pursuant to the first, third, and eighth Resolutions, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To amend an Act, made in the eighteenth Year of his present Majesty's Reign, intituled, *An Act for the Relief of certain Creditors*; and it is referred to Mr *George Johnston* to prepare and bring in the same.

*And then the House adjourned till Monday Morning Eleven o'Clock.*

## Monday, the 5th of March. 32 Geo. II. 1759.

MR *Cabbell* presented to the House, according to Order, a Bill To regulate the Price of *Indian Corn* in the present Scarcity, and the same was read the first Time, and ordered to be read a second Time.

A *Claim* of *John Burnett*, for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claim in the Book of Claims.

A *Bill* For continuing and amending the Act, intituled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

An engrossed *Bill*, intituled, *An Act for further continuing an Act, intituled, An Act for laying an additional Duty on Rum and other distilled Spirits, not being of the Produce of his Majesty's Sugar Islands*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

A *Message* from the Governor by Mr *Walthoe*.

Mr *Speaker*, and Gentlemen of the House of Burgeffes,

*The Governor commands the immediate Attendance of your House in the Council Chamber.*

Accordingly Mr *Speaker*, with the House, went up; And being returned, reported, That he, with the House, had attended the Governor in the Council Chamber; and that his Honor was pleased to make a Speech to the Council and this House, of which he had, to prevent Mistakes, obtained a Copy, which he read to the House, and afterwards delivered it in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr *Speaker*, and Gentlemen of the House of Burgeffes,

*I have very lately received Letters from Mr Secretary Pitt, and Major-General Amherst, in Relation to this Colony's raising for the ensuing Campaign as large a Number of Men*  
as



as possible, to act in Conjunction with the British Forces in offensive Operations against the Enemies of his Majesty and his Kingdoms, which I propose now to lay before you.

It would argue the highest Vanity in me to imagine that any Persuasions I could use to a brave, free, and loyal People, could add any Weight to the Desires of a King, who, by extending his Care equally over all his Subjects, is deservedly become the great Object of their Affections; notified by a Minister of known Integrity and Zeal for the Welfare of the American Colonies, and recommended by a General of experienced Valor, Prudence, and Activity; all tending to the great Point of securing this and the neighbouring Colonies from any future Encroachments and Disturbances from the French and their Indian Allies. Notwithstanding this Conviction, I should be deficient in the Duty I owe to his Majesty, if I did not, in the warmest Manner, recommend to you to exert your utmost Force and Strength on this Occasion: The First, in which I have been required to use any Endeavours to influence your Actions, since the Appointment I am honored with to take upon me the Administration of your Affairs. Sorry I am, that your Representations of Incapacity have in some Measure stopped my Mouth, for it is not in my Nature to press upon Necessity: But you have the Royal Word, that strong Recommendations will be made in your Favor to the British Parliament, that you may receive a proper Compensation for your Expences; and the End in View tends immediately to your Advantage, while Great Britain, whose Expences have been immense in Defence of this Continent, will reap hers but at second-hand.

By a Letter from Major-General Amherst, you will see that I have received an Invitation to meet him and the Governors of the neighbouring Colonies at Philadelphia, to assist at a Consultation for the promoting their common Interest. If the Business of this Session was drawing towards a Conclusion, or if any Expedient could be found out by which, during my Absence, it might be carried on to the Advancement of his Majesty's Arms, and to the Ease of you, Gentlemen, I should be glad to render my Services to both by my Presence at this Meeting. As this is a Point of Consequence, and is attended with some Difficulties, the Advice of this General Assembly how to act in it would be highly agreeable to me, and I shall refer it to your Consideration with my strongest Assurances that my greatest Ambition is to be useful to this Colony in any Place, and by every Measure which may be thought to be most conducive thereto.

30

Mr Speaker also reported, That the Governor had delivered to him the several Letters mentioned in his Speech, and desired him to lay them before the House: And he accordingly delivered them in at the Table, where they were read, and ordered to lie on the Table.

Upon a Motion made,

*Resolved*, That this House will resolve itself into a Committee to consider of the Governor's Speech immediately.

*Ordered*, That the Letters from Mr Secretary Pitt and Major-General Amherst be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee upon the said Speech and Letters; and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Charles Carter reported, That the Committee had had the said Speech and Letters under their Consideration, and gone through the same, and had come to two Resolutions thereupon, which they had directed him to report to the House; and he read the same in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the House, with an Amendment, as follow:

*Resolved*, That the Regiment in the Pay of this Colony, already voted to be compleated to one Thousand Men, is as much as can be supported in the present distressed Situation of the Colony.

*Resolved*, That as the Business of this Session is not near a Conclusion, and that it cannot be carried on during the Absence of the Governor; his leaving the Colony

at

at this Time will too long retard the raising the Men voted by this Affembly, and put a Stop to all the other public Buſineſs.

*Ordered*, That a Committee be appointed to draw up an Addreſs to the Governor, purſuant to the ſaid Reſolution; and it is referred to Mr *Landon Carter* and Mr *Pendleton* to prepare and bring in the ſame.

*And then the Houſe adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday, the 6th of March. 32 Geo. II. 1759.

MR *Landon Carter* reported, That the Committee appointed had, according to Order, prepared an Addreſs to the Governor, which he read in his Place and afterwards delivered in at the Table, where the ſame was again twice read, and agreed to, and is as follows:

*Sir,*

*If any Thing could add Weight to the Deſires of a King, juſtly diſtinguiſhed by his paternal Care, equally extended to all his People, your Honor may aſſure yourſelf, it would be the warm and affectionate Solicitation of a truly Patriot Governor.*

*Theſe endearing Motives, joined with thoſe that may be reaſonably expected to reſult from a vigorous Proſecution of the common Cauſe, do naturally influence our Conſultations in Favor of every Requeſt that his Maſteſty's Concern for our Welfare may incline him to make, or your Duty induce you to recommend.*

*How ſorry then muſt we be, when the Incapacity of the Country obliges us to inform your Honor, that we cannot ſupport a greater Number of Forces than one complete Regiment for the enſuing Campaign?*

*The near Approach of the Time appointed for the Rendezvous of the Forces that we are now endeavouring to provide for, together with many other Matters of public Utility, which are abſolutely neceſſary to be effected this Seſſion of Aſſembly, and which cannot be forwarded with the Expedition required in Major-General Amherſt's Invitation, are Arguments ſufficient to convince of the Importance of your Honor's Preſence; And as we know of no Expedient that can be propoſed, conſiſtent with our Conſtitution, to remedy the Inconveniencies and Delays that will ariſe from your Abſence; permit us, Sir, not only to adviſe, but earneſtly to deſire your Honor not to leave the Colony at this Juncture.*

*Ordered*, That the ſaid Addreſs be fairly tranſcribed, and preſented by the whole Houſe.

*Ordered*, That the Committee who prepared the ſame wait on the Governor to know his Pleaſure when they ſhall attend his Honor to preſent it.

Mr *Bland*, from the Committee of Claims, reported, That the Committee had had under their Conſideration ſeveral Petitions, to them referred, and had come to ſeveral Reſolutions thereupon, which he read in his Place, and then delivered in at the Table, where the ſame were again twice read, and agreed to by the Houſe, as follow:

*Reſolved*, That the Petition of *Daniel Smith* be rejected; the Pay due to *John Smith* in the Petition mentioned, having been already received by the Father of the ſaid *John Smith*.

*Reſolved*, That the Allegations of the Petition of *George Braſſfield* are true, and that he ought to be allowed the Sum of £90 for the Slave in his Petition mentioned.

*Reſolved*, That the Allegations of the Petition of *John Langhorn* are true, and that he ought to be allowed the Sum of £3. 6. 8, the Difference of the Tobacco in his Petition mentioned.

*Ordered*, That it be an Inſtruction to the Committee of Claims to make the ſeveral Allowances in the Book of Claims, purſuant to the firſt and ſecond Reſolutions.

A Petition of *Hugh Moore*, ſetting forth, That his Negroe Slave *Tom* being runaway,  
was



was duly out-lawed, and was afterwards found dead in the Woods, was presented to the House and read; and the Question being put that the said Petition be referred to a Committee, 32

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of *Jane Brown*, Widow, setting forth, That in the Lifetime of her Husband a Sergeant belonging to the *Virginia* Regiment did impress and take away from him a Horse, Bridle and Saddle, without having them appraised, which was never returned, nor any Satisfaction received for the same.

*Ordered*, That the said Petition be referred to the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A *Petition* of *James Hughes*, setting forth, That being Lieutenant of Captain *Christian's* Company of Militia, he was ordered to take up three Men that were pricked down to serve as Soldiers by Virtue of a late Act of Assembly, and that he impressed two Men and Horses to assist him in that Service, for which he has never received any Satisfaction, and praying the Consideration of this House, was presented to the House and read; and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of *Richard Blanks*, praying that a Ferry may be established from his Land, in the County of *Lunenburg*, over *Staunton* River, to the Land of the Orphan of *James Cocke*, deceased.

Also a *Petition* of sundry Inhabitants of the County of *Prince William*, praying that the Tobacco Warehouses at *Occoquan* in that County may be discontinued, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Committee of Propositions and Grievances; That they do examine into the several Matters thereof, and report the same, with their Opinion thereupon, to the House.

*Ordered*, That *Mr Carrington* and *Mr Green* be added to the Committee of Claims; *Mr Fleming* to the Committee of Propositions and Grievances; *Mr Adams* and *Mr Braxton* to the Committee of Trade; *Mr Waller* to the Committee for Courts of Justice, and *Mr George Mason* to the Committee of Privileges and Elections.

The Order of the Day being read,

The House resolved itself into a Committee upon the Bill For continuing and amending the Act, intituled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, and after some Time spent therein, *Mr Speaker* resumed the Chair, and *Mr Charles Carter* reported, That the Committee had had the said Bill under their Consideration and made several Amendments thereto, which he read in his Place, and then delivered in at the Table, Where they were again twice read, and agreed to by the House.

*Ordered*, That the said Bill, with the Amendments, be engrossed, and read a third Time.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

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**Wednesday, the 7th of March. 32 Geo. II. 1759.**

**M**R. *Landon Carter* reported, That the Committee appointed, had according to Order, waited on the Governor to know his Pleasure when this House should attend him with their Address; and that he was pleased to appoint this day, and to say he would send a Message to the House when he was ready to receive it.

A Claim of *Luke Lucar*, for taking up a Defenter from the *Virginia* Regiment.

Also



*Also a Claim of James Rogers, for the same Service.*

*Also a Claim of Ezekiel Young, for taking up a Runaway, therein mentioned.*

*Also a Claim of Ambrose Ballard, for the same Service.*

*Also a Claim of James Underwood, for the same Service.*

*Also a Claim of Timothy Finney, for the same Service, were severally presented to the House and received.*

*Ordered, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.*

*A Petition of John Moreton, Captain, and Thomas Martin, Lieutenant, in Behalf of themselves and the private Soldiers of Captain Woodson's Company, on the intended Expedition against the Shawnee, praying that they may be allowed their Pay for the Time they were employed on that Expedition, having never yet received any Satisfaction for the same.*

*Also a Petition of John Burk, and the Executors of James Taylor, deceased, setting forth, that the said Burk, and Taylor were Under-Sheriffs of Caroline County, in the Year 1756, and there remained in their Hands a Depositum of 1440 lbs. of Tobacco of the public Levy, laid the preceeding Year, for which Tobacco they received Cash, at two Pence per Pound according to the Act of Assembly then subsisting; and it being levied on them last Year in Tobacco, they were obliged to pay for the same at twenty-five Shillings per Hundred, and praying to be allowed the Difference, were severally presented to the House and read.*

*Ordered, That the said Petitions be referred to the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.*

*A Petition of fundry Merchants of the Town of Winchester, setting forth, That their Trade is greatly prejudiced by the great Number of Pedlars from Pennsylvania, dealing in Skins and Furs, without being duly authorized, who carry out such Commodities without paying any Duty, the Person appointed to receive the same being very remiss in his Office, and the Act of Assembly relative thereto defective; and praying that this House will take that Matter into Consideration; and grant them such Relief as shall be thought reasonable.*

*Also a Petition of fundry Inhabitants of Augusta County, setting forth, That many Inconveniences arise to the Trade in Skins and Furs by the large Sum required by law for Licenses to Pedlars, and praying that the same may be settled at a lower Rate, were severally presented to the House, and read.*

*Ordered, That the said Petitions be referred to the Committee of Propositions and Grievances; That they do examine into the several Matters thereof, and report the same, with their Opinions thereupon, to the House.*

*Mr Nicholas, from the Committee appointed, presented to the House, according to Order a Bill For enlarging the Towns of Fredericksburg and Winchester, and the same was read the first Time, and ordered to be read a second Time.*

*A Message from the Governor was delivered by Mr Walthoe.*

*Mr Speaker, and Gentlemen of the House of Burgeffes.*

*The Governor is now ready to receive the Address of your House in the Council Chamber.*

*Accordingly Mr. Speaker, with the House went up; and being returned, he reported, That he, with the House, had attended the Governor in the Council Chamber, and presented the Address of this House to him, to which his Honor was pleased to return the following Answer:*

*Mr Speaker, and Gentlemen of the House of Burgeffes,*

*The good Opinion you entertain of me, and the Expressions, of Affection contained in your Address, claim my most hearty Thanks, which I return you with great Sincerity.*

*But*

*But as I am above Disguise, I cannot help expressing my Concern that the Dread of Poverty should frighten you from exerting yourselves to answer the Desires and Expectations of his Majesty for this Year, which most probably will put a finishing Stroke to the War in these Parts, the doing of which would, as I conceive, redound to your Honor and Advantage, both which I have greatly at Heart.*

*As the Interest of this Colony is the sole Motive which could induce me to be absent from it, so I shall not think of leaving it when that does not require my taking such a Step.*

Mr Bland, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration the Petition of *Collin Campbell*, to them referred, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Report be postponed till To-morrow.

A Petition of fundry Inhabitants of *Prince William County*, praying that if an Act should pass for the Division of that County, there may be two Thousand Tithes left in the old County, was presented to the House and read.

*Ordered*, That the said Petition do lie on the Table.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 8th of March. 32 Geo. II. 1759.

A Petition of *Philip Whitehead Claiborne, Gentleman*, and *Elizabeth* his Wife, setting forth, That *Unity Dandridge*, the Petitioner *Elizabeth's* Mother, did, by her Will, give to her certain Lands in *Hanover* and *King William*, for Life, with Power to dispose of the same at her Death to her Children, as she should think proper: That the Petitioner *Philip Whitehead* is seized in Fee Simple of other Lands in *King William*, and that it will be greatly to the Advantage of his Children to vest the said Lands in *Hanover* in him in Fee Simple, and to settle the said Lands in *King William*, being contiguous together to be disposed of by the Petitioner *Elizabeth* according to the Will aforesaid, and praying that an Act may pass for that Purpose, was presented to the House and read. 35

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Peter Robinson* and Mr *Gaines* to prepare and bring in the same.

Mr Attorney, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration the Petition of *William Mead*, to them referred, complaining of an undue Election and Return of Mr *Samuel Hairstone* and Mr *Zachariah Burnley* to serve as Burgesses in this present General Assembly for the County of *Bedford*, and had agreed upon a Report, and come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, and are as follow:

Your Committee, in the first Place, take leave to observe, That the Petitioner did not appear before them either in Person or by his Council: Upon which they proceeded to consider the Depositions taken and returned, pursuant to the Order of this House, by which it appears that the Commanding Officer of the Militia of the said County of *Bedford* ordered Mr *Hairstone* to conduct the Persons drafted to recruit the Forces in the Pay of this Colony to *Winchester*, of which *Patrick Napier*, in the Petition mentioned, was one, who being very desirous to be quit of that Service, did, on the Way thither, propose to Mr *Hairstone* that if he would get one other Man to go in his Stead, and procure his Discharge, he would give him a Negroe, under ten Years of Age, That Mr *Hairstone* conducted the Drafts to *Winchester*, and delivered them to Colonel *Washington*, the Commanding Officer there; and having procured a Man to serve in the Stead of the said *Napier*, to whom he was to give five Pounds, besides the Bounty allowed by law, prevailed on Colonel *Washington* to accept him, and discharge *Napier*, who, on his Return Home, delivered to Mr *Hairstone* a Negroe about four or five Years old, and hath since  
declared



declared that if such Delivery did not give him a good Title to the Negroe, he would make him a better: And Mr *Hairstone* hath declared that if *Napier* would repay the Money he was to give the Person that went in his stead he would return the Negroe back again (but whether Mr *Hairstone* really paid any Money to that Person does not appear to your Committee.) And no Evidence appearing to prove that Mr *Burnley* treated the Freeholders of that County after the Teste of the Writ for electing Burgeffes for the same, or any illegal Proceedings at the Election.

*Resolved*, That the said *William Mead* hath not made good the Allegations of his Petition.

*Resolved*, That the said Mr *Samuel Hairstone* and Mr *Zachariah Burnley* are duly elected to serve as Burgeffes in this present General Assembly for the said County of *Bedford*.

Mr *Attorney* also reported, That the said Committee had had under their Consideration the Petition of Mr *Henry Blagrove*, to them referred, complaining of an undue Election and Return of Mr *Clement Read* and Mr *Matthew Marrable*, to serve as Burgeffes in this present General Assembly for the County of *Lunenburg*, and had agreed upon a Report, and come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, and are as follow:

It appears to your Committee that after it was publicly known in the said County, that the Writ was issued for electing Burgeffes to serve in this present General Assembly for the same, one *Memican Hunt* gave a Treat on Behalf of Mr *Read* to a Company of Militia he formerly had commanded, with Mr *Read's* Knowledge, but not at his Request, and invited Mr *Read's* Friends to partake thereof. That Mr *Marrable* desired one *Henry Williams* to acquaint the Company under the Command of Captain *Williams* that he intended to give them a Treat the next Muster Day, before which Time the Writs for Election of Burgeffes issued, upon which he desired the said *Williams* to excuse him to the Company, because if he should treat it would vacate his Election; and to tell them he would handsomely treat them after the Election was over, which he did do: That Mr *Marrable* hearing a Petition to the Assembly was handed about by Captain *Cox*, got another in Opposition thereto; and declared that by carrying it about several Days, and treating the Freeholders, he had got forty or fifty Votes, the Writ being then issued: That the Day before the Election a large Number of Freeholders came to Mr *Marrable's*, and were genteely entertained; at which Time their Votes were solicited for by Mr *Marrable*, in Behalf of Mr *Blagrove* and himself, and Mr *Marrable* declared they all promised him their Votes, but only one of them was as good as his Word: That Mr *Marrable* seemed strongly in Mr *Blagrove's* Interest, and declared he would spend eight or ten Pounds rather than he should lose his Election. That the Morning of the Election Liquor was distributed to the Company of Mr *Marrable*, by his Orders, but with this Caution, To take Care they should not intoxicate themselves, least a Riot might ensue at the Election, because he wanted a fair Poll, and every Candidate to stand or fall by his own interest; and Mr *Marrable* declared he expended seven Weathers, and thirty Gallons of Rum on that Occasion: That a few Days after the Election Mr *Blagrove* was at Mr *Marrable's* House, seemed very friendly, and said he was well satisfied with Mr *Marrable's* Proceedings in the Election, and was better satisfied that he should be a Burgeffes with Mr *Read* than himself, if Mr *Marrable* would bring Mr *Read* to an Account upon Matters formerly against him alledged by Mr *Marrable*, and endeavour to divide the County: That on the fifth Day of *July*, being thirteen Days before the Election, Mr *Marrable* wrote a Letter to Mr *David Caldwell*, a Man of great Interest in the County, strongly soliciting his Interest, in which is contained the following Words: "This shall be my Obligation to be liable and answerable to you, and all who are my Friends, in the Sum of five Hundred Pounds, if I do not use the utmost of my Endeavours (in Case I should be a Burgeffes) to divide this our County of *Lunenburg*, in the following Manner,



to wit: Beginning at *Byrd's Mill*, running a streight line to the Head of *Nottoway*, agreeable to a Division lately made in our Parish; as also to use the same Endeavours for this County, that shall appear for the Benefit thereof." And upon Consideration of the whole Matter, 37

*Resolved*, That the said *Mr Clement Read* is duly elected to serve as a Burgefs in this present General Affembly for the said County of *Lunenburg*.

*Resolved*, That the said *Mr Matthew Marrable* is not duly elected to serve as a Burgefs in this present General Affembly for the said County.

Your *Committee* cannot conclude this Report without taking Notice of the Behaviour of one *John Hobson*, which was very illegal and tumultuous, in offering to lay Wagers the Poll was closed when it was not; in proclaiming at the Court-house Door the Poll was going to be closed, and desiring the Freeholders to come in and vote, and then violently, by striking and kicking of them, preventing them from so doing, by which Means many Freeholders did not vote at the said Election.

Upon a *Motion* made,

*Resolved*, That the said *John Hobson*, in the said Report mentioned, is guilty of a high Misdemeanor, and Breach of the Privileges and Freedom of Elections, and also the Privileges of this House.

*Ordered*, That the said *Hobson* be sent for in Custody of the Serjeant at Arms, and brought to the Bar of this House, to answer for his said Offence.

*Ordered*, That an Address be made to the Governor to order a new Writ to issue for the Election of a Burgefs to serve in this present General Affembly for the County of *Lunenburg*, in the Room of the said *Matthew Marrable*, and that *Mr Read*, do wait on him with the said Address.

*Ordered*, That *Mr George Mason* be added to the Committee of Propositions and Grievances.

A *Petition* of fundry Inhabitants of the Town of *Fredericksburg* in Opposition to a Petition to be presented to this House, for removing the Court house of *Spotsylvania* County out of the said County, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; That they do examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

A *Memorial* of *Mr Robert Stewart*, representing that the Commanding Officer of the *Virginia* Troops, by the Governor's Approbation, appointed him Brigade-Major, which Duty he performed, but as there was no Fund to pay him, he has never received any Satisfaction for his said Service, and praying the Consideration of this House.

Also a *Petition* of *William Istobe*, setting forth, That he was a Soldier in Captain *Ashby's* Company of Rangers, and in an Engagement with some Enemy Indians on *Patterson's* Creek, in April 1756, was by them taken Prisoner, and carried to *Quebec*, where he remained nineteen Months, and was then transported to *England*, and exchanged, and praying the Consideration of this House, were severally presented to the House and read.

*Ordered*, That the said Memorial and Petition be referred to the Consideration of the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

A *Petition* of *John Langston* and *Tom Cook*, in Behalf of themselves and the other *Indians* on *Pamunkey* River, in the County of *King William*, setting forth, That they are possessed of a valuable Tract of Land where they now live, which is more than sufficient for them (being now reduced to a small Number) to cultivate for their Subsistence: That they are also seized of a small Tract, separated from that they live on, containing about 200 Acres, which is of no other Use to them than to yield them Timber for building, but that for Want of some Person to take Care of their Interest, their Bounds are violated, and their Timber taken away, for which they can have no Satisfaction, not being acquainted with the Modes of obtaining Justice; and praying that an Act may pass to appoint them 38

them Trustees to lease out the said small Tract of Land under an annual Rent, and the Restriction for reserving the Board Timber thereon for their own Use, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Robinson* and Mr *Gaines* to prepare and bring in the same.

A Claim of ——— *Todd*, for reducing the dislocated Arm of a Soldier, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee appointed by Act of Assembly to state the Accounts of Provisions, and the Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the *Cherokee* and *Catawba Indians*, and for other Purposes therein mentioned, that they make such Allowance to the said *Todd* as they shall think reasonable for that Service.

A Claim of *William Woodroof*, for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claim in the Book of Claims.

A List of the Officers and Soldiers of the Militia drafted out of the County of *Spotsylvania*, on his Majesty's Service, in *June, 1757*, with an Account of the Time they were respectively employed in that Service, was presented to the House and received; and referred to the Consideration of the Committee of Claims.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions from several Counties to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and are as follow:

*Resolved*, That it is the Opinion of this Committee, That the Petition from the County of *Lunenburg*, praying that County may be divided, by a Line beginning at *Byrd's Mill*, and running thence a straight Course to the Head of *Roanoke River*, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Petition from the Parish of *Saint Patrick*, in the County of *Prince Edward*, complaining of the illegal Proceedings of the Vestry of the said Parish, and praying the same may be dissolved, is reasonable; it appearing to this Committee, though not mentioned in the Petition, that one of the said Vestrymen is a Dissenter from the established Church.

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*Resolved*, That it is the Opinion of this Committee, That the Petition from the Counties of *Dinwiddie* and *Chesterfield*, praying a Clause of an Act of Assembly therein mentioned may be repealed, and the Justices of the said Counties be obliged to build a bridge over *Appamattox River*, at the Town of *Pocohontas*, where the old Bridge now stands, is reasonable.

*Resolved*, That it is the Opinion of this Committee That the Petition in Opposition thereto, be rejected.

Upon a Motion made,

*Ordered*, That the first Resolution be recommitted to the said Committee.

The second Resolution being read a second Time, and the Question put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That the Consideration of the two last Resolutions be referred to *Tuesday* next.

Upon a Motion made,

*Resolved*, That the Petition of *William Mead*, complaining of an undue Election and Return of Mr *Samuel Hairstone* and Mr *Zachariah Burnley* to serve as Burgesses in this present General Assembly for the County of *Bedford*, is frivolous and vexatious.

*Ordered*, That the said *William Mead* do pay unto the fitting Members their Costs occasioned by the said Petition.

*Ordered*,



*Ordered*, That it be an Instruction to the Committee of Claims to regulate the said Coſts, and to levy the ſame on the Petitioner in the Book of Claims.

*Ordered*, That the Conſideration of the Report from the Committee of Claims, Yeſterday made to the Houſe, and referred to be conſidered this Day, be put off till To-morrow.

*And then the Houſe adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 9th of March, 32 Geo. II. 1759.

**A** *Petition* of *John M'Cowen*, ſetting forth, That he had two Horſes and one Mare impreſſed into his Majeſty's Service, appraiſed to £19. 10, two of which were loſt, and the other come Home, after being abſent about 50 Days, ſo poor that he ſoon after died, and praying the Conſideration of this Houſe.

*Alſo a Petition* of *Tom Step*, *Billy John*, *School Robin*, and *Aleck Scholar*, *Nottoway Indians*, ſetting forth, That they ſerved all laſt Summer and Fall in Conjunction with his Majeſty's Forces, againſt the *French*, faithfully and honeſtly, until the Reduction of *Fort Du Queſne*; and are again willing to expoſe their Lives in his Majeſty's Service; That they have received no Pay, and by Reaſon of their Abſence from Home made little Corn to ſubſiſt on, and praying that ſome Allowance may be made them to purchaſe Corn for the Support of themſelves and their Families.

*Alſo a Petition* of *Thomas Penman*, Keeper of the public Goal, ſetting forth, That the Lots thereto belonging being at preſent open and unincloſed, leaves the ſaid Priſon too much expoſed to the Attempts of thoſe who may Deſign to reſcue the Criminals therein confined, and praying that this Houſe will direct the ſaid Lots to be incloſed at the public Expence, were ſeverally preſented to the Houſe and read.

*Ordered*, That the ſaid Petitions be referred to the Conſideration of the Committee of Claims; That they do examine into the ſeveral Matters thereof, and report the ſame, with their Opinion thereupon, to the Houſe.

Several *Claims* of *Thomas Wilkinſon*, Affignee of *John Boin*, and of *John Ellis*, for taking up Runaways therein mentioned, were ſeverally preſented to the Houſe and received.

*Ordered*, That it be an Inſtruction to the Committee of Claims to allow the ſaid Claims in the Book of Claims.

The Houſe, according to Order, proceeded to the Conſideration of the Report from the Committee of Claims, made on *Wednesday* laſt, and the Reſolution of the ſaid Committee being again read, was agreed to by the Houſe, with an Amendment, and is as follows:

*Reſolved*, That the Allegations of the ſaid Petition are true; and that the Sum of £62 ought to be paid to the ſaid *Collin Campbell*, by the Public.

*Ordered*, That it be an Inſtruction to the Committee of Claims to make an Allowance to the ſaid *Collin Campbell*, purſuant to the ſaid Reſolution, as amended.

*Mr Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under Conſideration the Memorial of *Robert Stewart*, Brigade-Major to the *Virginia* Troops, to them referred, and had come to a Reſolution thereupon, which be read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houſe, as follows:

*Reſolved*, That the Allegations of the ſaid Memorial are true; and that he ought to be allowed the Sum of £68. 10, for four Months and fifteen Days Pay as Brigade-Major of the ſaid Troops.

*Mr Charles Carter*, from the Committee appointed, preſented to the Houſe, according to Order, a Bill For compleating the Regiment in the Pay of this Colony to One Thouſand Men, to be continued in the Service until Firſt Day of *December* next; and  
for



for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same; and the said Bill was read the first Time, and ordered to be read a second Time.

A *Petition* of *William Hunter*, setting forth, That his Salary as Printer to this House will expire at the End of this Session of Assembly, and praying that the same may be further continued, was presented to the House and read.

*Resolved*, That the Sum of £300 per Annum be allowed to *William Hunter*, Printer, to continue to the End of the next Session of Assembly, as a full Consideration for printing the Journal of the House of Burgesses, printing the Laws of each Session, and sending thirteen of them to every County Court Clerk, one of which to be half-bound for the use of the Court; printing Inspectors Notes and Books, Proclamations, and other public Advertisements.

*Ordered*, That the said Resolve be engrossed and that Mr *Waller* do carry it up to the Council for their Concurrence.

41 A *Bill* For enlarging the Towns of *Fredericksburg* and *Winchester*, was read a second Time, and committed to the Members for *Spotsylvania* and *York*.

A *Petition* of *Matthew Moody*, setting forth, That he hath laid off twelve Lots adjoining the City of *Williamsburg*, several of which are already disposed of, and built upon, and praying that the same may be added to the said City, was presented to the House and read.

*Ordered*, That it be an Instruction to the last mentioned Committee that they receive a Clause or Clauses pursuant to the Prayer of the said Petition; and

Upon a *Motion* made,

*Ordered*, That it be an Instruction to the said Committee that they likewise receive a Clause or Clauses for adding certain Lots, laid off by Mr *Benjamin Waller*, to the said City.

A *Petition* of *James Roberts*, Jun. setting forth, That he hath laid off 100 Acres of Land into Lots, of Half an Acre each, adjacent to the Court House of the County of *Halifax*, conveniently situated for a Town, and praying that an Act may pass to establish a Town thereon, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; That they examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday, the 10th of March. 32 Geo. II. 1759.

**O**RDERED, That Mr *George Johnston* have Leave to be absent till *Wednesday* Se'ennight.

An engrossed *Bill*, intituled, *An Act for continuing an Act, intituled, An Act for the better regulating and disciplining the Militia*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Landon Carter* do carry up the said *Bill* to the Council for their Concurrence.

Mr *Braxton* presented to the House, according to Order, a *Bill* To dock the Intail of certain Lands whereof *Tunstall Banks* is seized, and for settling other Lands, and certain Slaves therein mentioned, of greater Value, to the same Uses; and the same was read the first Time, and ordered to be read a second Time.

An engrossed *Bill*, intituled, *An Act to explain an Act, intituled, An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year*, was read the third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*,

Ordered, That Mr *Pendleton* do carry up the said Bill to the Council for their Concurrence.

And then the House adjourned till Monday Morning Eleven o'Clock.

## Monday, the 12th of March, 32 Geo. II. 1759.

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A Bill To dock the Intail of certain Lands whereof *Tunstal Banks* is seized, and for settling other Lands, and certain Slaves therein mentioned, of greater Value, to the same Uses, was read a second Time, and committed to Mr *Braxton* and the Members for *King William* and *Caroline*.

A Bill To regulate the Price of *Indian Corn* in the present Scarcity, was read a second Time.

Ordered, That the said Bill be engrossed, and read a third Time.

A Bill For completing the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the First Day of *December* next; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same, was read a second Time, and ordered to be committed to a Committee of the whole House.

Resolved, That this House will resolve itself into a Committee upon the said Bill on *Wednesday* next.

A Bill For further continuing an Act, intituled, *An Act for further continuing certain Acts of Assembly therein mentioned*, was read a second Time, and committed to the Committee of Trade.

An Account of *Robert Higginson*, for Ferriage and Provisions to our tributary *Indians*, and public Expresses, was presented to the House and received, and referred to the Consideration of the Committee of Claims.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Tuesday, the 13th of March, 32 Geo. II. 1759.

MR. *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To enable the Inhabitants of the County of *Loudoun* to pay their public Dues and Officers Fees in Money.

He also presented to the House, according to Order, a Bill To encourage Arts and Manufactures; and the said Bills were severally read the first Time, and ordered to be read a second Time.

Mr *Attorney*, from the Committee of Privileges and Elections, reported, That the Committee had, according to Order, examined into the Conduct of Mr *Thomas Walker*, a Member of this House, and one of the Contractors for furnishing the Forces in the Pay of this Colony, that were stationed in the County of *Augusta*, with Provisions, in the Year 1757; and had agreed upon a Report, and come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the said Resolutions were again twice read, and agreed to by the House, and are as follow:

In Order to prevent any Mistakes that might happen in the Course of this Enquiry, your Committee thought it expedient that the Objections made to Mr *Walker's* Conduct in that Office should be reduced into Writing; and therefore desired Mr *Johnson* (another Member of this House) who gave Rise to this Enquiry, to put into Writing the Objections he had to make to Mr *Walker's* Conduct, which he did, at two several Times, in the following Words: "The following is the Charge against *Thomas Walker*, Gentleman, one of the Contractors for victualling the Troops in the Pay of this Colony, in the Year 1757, exhibited against him by *Thomas Johnson*, and which he proposes to make good Proof to: That on the 28<sup>th</sup> Day of *October*, 1757, *Thomas Walker*, Gentleman, did covenant and agree

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agree with the Honorable *Robert Dinwiddie*, Esq; late Lieutenant-Governor of this Colony, That the said *Thomas* would take to his own proper Account all such Provision as was then on Hand, that should be delivered unto him in the County of *Augusta*, and give the Government Credit for the same, after the following Rate, that is to say: For every Bushel of Salt ten shillings; for every Hundred Pounds of Flour nine Shillings; for every Pound of Bacon three Pence; for every Pound of dried or pickled Beef two Pence Half-penny, and for every Hundred Pounds of Biscuit twelve Shillings and six Pence. And whereas, soon after the said Contract was made, there was delivered to the Officers of the first *Virginia* Regiment and Rangers, stationed in the County of *Augusta*, whom the said *Thomas* had contracted to supply with Provisions, about eleven Waggon Loads of Bacon and other Provisions, as by Receipt, for Part of the same, by Captain *Woodward*, an Officer in the first *Virginia* Regiment, may appear, notwithstanding the said *Thomas* hath settled an Account many Months after the Delivery of the said Provisions (with the Government) and refused to give any Credit for the same, alledging that the same was unsound and deserved no Credit." Here ends the first Charge; the second was as follows: "A further Charge exhibited by *Thomas Johnson* against *Thomas Walker*, Gentleman, as one of the Contractors for victualling the Troops in the Pay of this Colony, in the Year 1757; That the said *Thomas Walker* entered into a secret Partnership with Major *Andrew Lewis*, one of the principal Officers of the first *Virginia* Regiment, stationed in *Augusta* County, relative to the victualling the said Troops under his immediate Command; and that after the Persons appointed to convey a certain Quantity of Bacon from the Hands of Colonel *Read*, which had been purchased for the Use of the Government, and had obtained a Receipt for the same, after being first inspected by proper Persons on Oath, and then admitted some were good, some indifferent, and the rest condemned, the said *Walker* received the same, and afterwards the said *Lewis* (Partner with the said *Walker*) by Virtue of his own Authority, caused the said Provisions, or at least the greatest Part of them, not then made Use of, to be examined and condemned; and that the said *Thomas Walker* as yet has rendered no Manner of Account of the whole or any Part thereof, as the said *Thomas Johnson* knows of, although the said *Thomas Johnson* expressly charges that some of the said Provisions was actually used; but in Order, as the said *Thomas Johnson* conceives, to prevent any Discovery thereof, the said *Thomas Walker* absolutely denied that the said *Lewis* was concerned with him in victualling the said Regiment; and this he did at a Time it was supposed that the said *Lewis* was killed in the Battle before Fort *Du Quesne*; And further, the

44 the said *Thomas Johnson* undertakes to prove that the Bacon delivered and afterwards condemned as aforesaid, was good at the Time it was delivered." So ends the second Charge. After hearing the said Charges read, and duly considering the same, your Committee proceeded to hear the Testimony of the Witnesses produced by Mr *Johnson* to prove the said Charges, as well as those produced by Mr *Walker* to exculpate himself; And from their Evidence it appears to your Committee That Mr *Walker* entered into the Contract mentioned by Mr *Johnson*, and on the Terms by him alledged. That eleven Waggon Loads of Provisions were sent from *Lunenburg* to *Augusta* County for the Use of the Forces Mr *Walker* was by that Contract to victual: That the Contract was negotiated in *Williamsburg*, and concluded the twenty-eighth Day of *October*, 1757; and while the same was in Agitation, and before it was concluded, Mr *Walker* told Colonel *Read*, another Member of this House, who had purchased those Provisions, by Order of the Governor, the Year before, that he would go to *Lunenburg* and see the same inspected before it was sent to *Augusta* and Mr *Read* told him it was too late, for that the Provisions were then gone, or going to *Augusta*, by the Governor's Order. That on the twentieth Day of *October*, eight Days before the Contract was concluded, it appears a Quantity of those Provisions were delivered to Captain *Woodward*, an Officer of the first *Virginia* Regiment, in *Augusta*, and the Residue was, about the last of that Month, lodged on *Craig's Creek*, about twelve Miles from the Garifon, the Roads not being passable



passable for Waggon, and for Want of an Escort: That the Provisions received by Captain *Woodward* were inspected, but it does not appear that those left at *Craig's Creek* were ever inspected. Yet from the Light your Committee have been able to discover from the whole Testimony, it appears that the said Provisions were in general very indifferent, and great Part quite spoiled. That Mr *Walker*, in July next following his Contract laid an Account before the Commissioners appointed by Act of Assembly to adjust the same, and did not make any Mention therein of those Provisions, but acquainted them that a Quantity of Provisions had been received from *Lunenburg*, which he had not then got an Account of, and that he would leave in the Treasury a sufficient Sum to pay for them whenever the Quantity could be adjusted, which he did, where the same still remains, the said Mr *Walker* not having as yet settled any other Account with the said Commissioners: The preceding Facts are all relative to the first Charge exhibited by Mr *Johnson*. And with Respect to the second, it does appear to your Committee, that Major *Lewis*, the Commanding Officer of the Forces stationed in *Augusta*, was concerned with Mr *Walker* in the Execution of the said Contract, though not named in it, which your Committee entirely disapprove of, as it might open a Door to great Hardships and Oppression upon the poor Soldiers; but no such Consequences having appeared to attend it in this Case, your Committee have come to the following Resolutions:

*Resolved*, That Mr *Johnson* hath not made good the first Part of his Charge, wherein he alleges Mr *Walker* refused to account for the said Provisions.

*Resolved*, That he hath made good that Part of his Charge, concerning Major *Lewis's* being in Partnership with Mr *Walker*.

*Resolved*, That he hath not made good that Part of his Charge, touching a Re-<sup>45</sup> inspection and Condemnation of the said Provisions by Major *Lewis's* Order.

And it not appearing to your Committee that any other Inconveniency attended Major *Lewis's* being concerned in the Execution of the said Contract, than the Absence of some of the Officers from their Posts at some Times necessarily occasioned thereby.

*Resolved*, That Mr *Walker* hath not been guilty of any Fraud in the Execution of the said Contract.

Upon a Motion made,

*Ordered*, That Mr *Thomas Walker*, Contractor for supplying the Troops with Provisions, do, in six Months, at furthest, from this Time, render an Account of all the Provisions he has received in the County of *Lunenburg* or elsewhere, according to the Terms of the Contract made with this Government, in the Year 1757.

The House being informed, That Mr *Thomas Johnson*, a Member of this House, having said that Mr *Walker* as Contractor to supply the Forces stationed in *Augusta* with Provisions, had attempted to cheat the Country of eleven Hundred Pounds, was asked, if that was the Case, how it happened that Mr *Walker* was not only continued in Office, but was courted thereto and carried by the Assembly, upon which Mr *Johnson* said the following Words: "You know very little of the Schemes, Plots, and Contrivances that are carried on in the House of Burgesses; in short, one holds the Lamb while another skins; and it would surprise any Man to see in what Manner the Country's Money is squandered away, which I have used my utmost Endeavour to prevent, in which I could never succeed but once, and that to a trifling Amount." That among other Instances the said Mr *Johnson* mentioned the following as a Proof of his Assertions: "That when the Clerk's Salary was proposed to be settled, Mr *Randolph*, the Clerk, got up, and walking through the Burgesses gave a Nod to his Creatures on each Side, who all followed him out of the House, and promised to be for the largest Sum proposed."

*Ordered*, That the said Information be referred to the Committee of Privileges and Elections; That they do examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

The House proceeded to the Consideration of the two last Resolutions of the Committee of Propositions and Grievances, made on *Thursday* last, and referred to be considered this Day; and the first of the said Resolutions being read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

*Resolved*,

*Resolved*, That the Petitions from the Counties of *Dinwiddie* and *Chesterfield*, therein mentioned, be rejected.

The *last* Resolution being also read a second Time, and the Question put that the House agree thereto,

*Resolved* in the Affirmative.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To prohibit the Justices of the County of *Dinwiddie* from obliging the Justices of the County of *Chesterfield* to join with them in building a Bridge across *Appomattox* River, at *Browder's* Island, and it is referred to M<sup>r</sup> *Cary* to prepare and bring in the same.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Wednesday, the 14th of March. 32 Geo. II. 1759.

A *Petition* of fundry Merchants, Planters, and others, residing on and trading to *York* River, setting forth, that the Warehouses at *Page's* and *Crutchfield's* in the County of *Hanover*, for the Inspection of Tobacco, are very inconveniently situated; and that the Petitioners are under great Difficulties, Trouble and Expence, in sending their Tobacco from thence to be shipped for Exportation, occasioned by the Sands in the River *Pamunkey*, on which the said Warehouses are established, and the difficult Navigation thereof; by which Means Ships are frequently delayed and prevented from proceeding on their Voyages to *Great Britain*, for Want of the Tobacco they must wait for from those Warehouses; And praying, that the said Warehouses may be suppressed, and new ones erected in their Stead at the Town of *Newcastle*, in the said County.

Also a *Petition* of fundry Inhabitants of the said County of *Hanover*, in Opposition thereto; were severally presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee of Propositions and Grievances; that they do examine into the several Matters thereof, and report the same, with their Opinions thereupon, to the House.

M<sup>r</sup> *Harrison*, from the Committee of Trade, reported, that the Committee had, according to Order, had under their Consideration the Bill For further continuing an Act, intituled, *An Act for further continuing certain Acts of Assembly therein mentioned* to them committed, and had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to, by the House.

*Ordered*, That the said Bill with the Amendments be engrossed, and read a third Time.

M<sup>r</sup> *Charles Carter*, from the Committee of Propositions and Grievances, reported, that the Committee had had under their Consideration divers Propositions from several Counties to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow.

*Resolved*, That it is the Opinion of this Committee, that the *Petition* from the County of *Westmoreland*, praying, that Warehouses for the Inspection of Tobacco may be established on the Land of the Honorable *Philip Ludwell Lee*, Esq; at a Place called *Stratford* Landing, in the said County; that *Machotique* and *Mattox* Warehouses may be put under one Inspection, and that the Inspectors there may each be allowed £30 a Year which will save to the Publick £40 a Year; which, with a Deduction of £10 a Year from the Salaries of the Inspectors at *Nomony* Warehouses, whose business will be much lessened, will afford a sufficient Salary for the Inspectors at *Stratford*, without any additional Charge to the Publick, is reasonable.

*Resolved*, That it is the Opinion of this Committee, that the *Petition* of the Merchants, Planters, Purchasers and Shippers, concerned in Tobacco brought to *Cabin Point*,



*Point Warehouses*, praying the said Houses may be sunk, and others erected on the Land of Mr *John Cocke*, lower down the Creek, is reasonable.

*Resolved*, That it is the Opinion of this Committee that the Petition of the Inhabitants of the Parish of *Cameron*, in the County of *Loudoun*, praying that the Vestry of that Parish may be dissolved, is reasonable.

*Resolved*, That it is the Opinion of this Committee, that the Petitions of the Inhabitants of the Parish of *Antrim*, in the County of *Halifax*, praying that the Vestry of that Parish may be dissolved, is reasonable.

*Resolved*, That it is the Opinion of this Committee, that the Petition of *James Douglas* and *Martin Hardin*, praying that three Acres of Land, adjoining the Town of *Dumfries*, may be added thereto, is reasonable.

*Resolved*, That it is the Opinion of this Committee, that the Petition of *Richard Blanks*, praying a Ferry may be established from his Land, in *Lunenburg* County, over *Staunton* River, at a Place called *Bruas's Ford*, to the Land of an Orphan of *James Cocke*, deceased, is reasonable.

*Resolved*, That it is the Opinion of this Committee, that the Proposition from the County of *Effex*, to alter that Court Day, is reasonable.

*Resolved*, That the Petition from the County of *Halifax*, praying they may be exempted from paying the Taxes imposed by Law, be rejected.

*Resolved*, That it is the Opinion of this Committee, that the Petition from the County of *Augusta*, praying that the Sum directed by Law to be paid by Pedlars for a License may be lessened, be rejected.

*Resolved*, That it is the Opinion of this Committee, that the Petition of divers trading People, setting forth, that great Numbers of Pedlars from *Pennsylvania* import Rum, Wine, and other Commodities, without paying any Duty; carry away Skins and Furs in the same Manner, and carry great Sums of Money in Specie out of the Colony; and praying the Law concerning Pedlars may be amended, is reasonable.

The first Resolution being read a second Time, and the Question put, that the House agree thereto,

*Resolved*, in the Affirmative.

The second Resolution being also read a second Time, and the Question put, that the House agree thereto,

It passed in the Negative.

*Resolved*, That the Petition therein mentioned be rejected.

Then the several other *Resolutions* were read a second Time, and the Question being severally put, that the House agree thereto,

*Resolved*, in the Affirmative.

*Ordered*, That a Bill or Bills, be brought in, pursuant to the first Resolution; and is referred to the Committee of Propositions and Grievances to prepare and bring in the same. *Also*

*Ordered*, That a Bill, or Bills, be brought in, pursuant to the third and fourth Resolutions; and it is referred to the Committee appointed to bring in a Bill For dissolving the Vestry of the Parish of *St. Anne*, in the County of *Albemarle*, to prepare and bring in the same.

*Ordered*, That it be an Instruction to the Committee to whom the Bill For enlarging the Towns of *Fredericksburg* and *Winchester*, is committed, that they receive a Clause, or Clauses, pursuant to the fifth Resolution.

*Ordered*, That it be an Instruction to the Committee to whom it is referred to bring in a Bill For establishing several new Ferries, that they receive a Clause or Clauses pursuant to the sixth Resolution.

*Ordered*, That a Bill or Bills be brought in pursuant to the seventh and tenth Resolutions, and it is referred to the Committee for Courts of Justice to prepare and bring in the same.



Mr *Carter* also reported, That the said Committee had had under their further Consideration the Petition from the County of *Lunenburg*, praying the said County may be divided, by a Line to be run from *Byrd's Mill* to the Head of *Nottoway*, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and disagreed to by the House.

*Resolved*, That the said Petition be rejected.

A Message from the Council by Mr *Walthoe*.

That they have agreed to the Bill, intituled, An Act for further continuing an Act, intituled, An Act for laying an additional Duty on Rum and other distilled Spirits, not being of the Produce of his Majesty's Sugar Islands.

Also to the Bill, intituled, An Act to explain an Act, intituled, An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year.

Also to the Bill, intituled, An Act for continuing an Act, intituled, An Act for the better regulating and disciplining the Militia.

Also to the Resolve of this House for allowing William Hunter, Printer, the Sum of £300 per Annum, for the Services therein mentioned.

*Ordered*, That the Treasurer of this Colony lay his Accounts before the House.

Mr *Robinson*, from the Committee appointed, presented to the House, according to Order, a Bill For vesting certain Lands, in the County of *Hanover*, in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for other Purposes therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

The Order of the Day being read, for the House to resolve itself into a Committee upon the Bill For completing the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill, on Friday next.

Upon a Motion made,

*Ordered*, That all such Claims and Accounts as shall be presented to this House, during this Session, relating to the Expedition against the *Shawnee*, and also of the Militia drafted out to the Protection of the Frontiers of this Colony, yet remaining unadjusted, be referred to the Consideration of the Committee of Claims.

Upon a Motion made,

*Resolved*, That this House will receive no Petitions or Claims after this Day Se'ennight.

A Petition of the Justices and others of the County of *Fairfax*, in Opposition to a Petition therein said to be certified to this Assembly, praying that 22000 lbs. of Tobacco may be levied on the said Justices, which was by them heretofore levied of the Inhabitants of that County, for building a Wharff at *Alexandria*, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; That they do examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

A Bill To enable the Inhabitants of the County of *Loudoun* to pay their public Dues and Officers Fees in Money, was read a second Time, and committed to Mr *Francis Light-foot Lee*, Mr *Hambleton*, and Mr *Walker*.

Mr *Pendleton* reported, That the Committee to whom the Bill to dock the Intail of certain Lands whereof *Tunstall Banks* is seized, and for settling other Lands, and certain Slaves, therein mentioned, of greater Value, to the same Uses, was committed, had examined, into the Allegations thereof, and found them to be true, and had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments,

Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

*Mr Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration the Petition of *Tom Step, Billy John, School Robin*, and *Aleck Scholar, Nottoway Indians*, to them referred, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

It appears to your *Committee* that the said four *Indians* were in the Service of this Colony, and did behave themselves with great Bravery during the last Campaign, particularly the said *Tom Step*, who distinguished himself very remarkably in the Action before *Fort Du Quesne*, under the Command of Major *Grant*; and that they are now destitute of Subsistence for themselves and Families, occasioned by their Absence from Home the last Summer.

*Resolved*, That the said *Tom Step* ought to be allowed £10, and the other three *Indians* £5 each, as a Reward for their Service, during the last Campaign, and to purchase necessary Subsistence for themselves and Families.

*Ordered*, That it be an Instruction to the Committee of Claims to make Allowances in the book of Claims pursuant to the said Resolution.

*Ordered*, That the said several Sums of Money be lodged in the Hands of the Members for the County of *Southampton*, to be by them laid out in Necessaries for the said *Indians*.

Upon a *Motion* made,

*Resolved*, That the Treasurer be desired to purchase a Silver Gorget and a Suit of Cloths, to be presented to Captain *Thomas Step*, one of the *Nottoway Indians*, as a Mark of Distinction, and as a Reward for his brave and gallant Behaviour during the last Campaign.

A *Petition* of fundry Inhabitants of the County of *Hanover*, setting forth, That the great Extent of that County, and the inconvenient Situation of the Court House, render it very inconvenient for the Petitioners to attend their Business there, and praying that the said County be divided, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Consideration of the next Session of Assembly.

A *Claim* of *Benjamin Edmondson* for taking up a Runaway therein mentioned, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claim in the Book of Claims.

*Mr Robinson*, from the Committee appointed, presented to the House, according to Order, a Bill For vesting certain Lands, belonging to the *Pamunkey Indians*, in Trustees, to be leased out for their Benefit, and the same was read the first Time, and ordered to be read a second Time.

An engrossed *Bill*, intituled, *An Act to regulate the Price of Indian Corn, in the present Scarcity*, was read the third Time and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That *Mr Cabbell* do carry up the said Bill to the Council for their Concurrence.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 15th of March, 32 Geo. II. 1759.

THE *Treasurer*, according to Order, laid his Accounts before the House.

*Ordered*, That the said Accounts do lie on the Table, for the Perusal of the Members of this House.

A *Claim* of *John Street, Jun.* for taking up a Defenter therein mentioned, was



was presented to the House and received; and referred to the Consideration of the Committee of Claims.

Mr *Harrison*, from the Committee of Trade presented to the House, according to Order, a Bill For further continuing an Act, intituled, *An Act for continuing so much of the Act of Assembly, intituled, An Act for the Encouragement and Protection of the Settlers upon the Waters of the Mississippi, as relates to the raising and imposing, collecting and paying the Duties therein mentioned, and for other Purposes therein mentioned*; and the same was read the first Time, and ordered to be read a second Time.

Mr *Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration the Petition of *William Istobe*, to them referred, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the said Resolution was again twice read, and agreed to by the House, with an Amendment; and the said Report and Resolution are as follow:

<sup>51</sup> Your Committee upon examining into the Petition of the said *William Istobe* was not able to collect any Evidence to prove the Truth of the Allegations thereof, other than that it appeared by a Certificate from *John Ashby*, Captain of one of the ranging Companies, that the Petitioner was enlisted as a Ranger in the said Company, the eighth of September, 1755, and continued in the Service until the first of April, 1756, when he was taken Prisoner by the French or their Indians; and at that Time there was due to him two Months Pay, which he has not received. And that by the Information of one of the Members of this House, who lived near the Petitioner's Place of Abode, in the County of *Prince William*, before his enlisting as a Ranger, that from the Time of his being taken Prisoner to the Time of his Return Home, was near twenty-two Months, nineteen Months of which Time the Petitioner alledged he was a Prisoner in the Goals of *Fort Du Quesne*, *Montreal*, and *Quebec*, and suffered great Hardships; and thereupon,

*Resolved*, That the Petitioner ought to be allowed the Sum of £ 21 for his Pay, and as a Recompence for the Injuries he suffered during his Captivity and Imprisonment.

*Ordered*, That it be an Instruction to the Committee of Claims to make the said Allowance in the Book of Claims.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions, from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee, that the Petition from the County of *Culpeper*, praying that a Town may be established at the Court House of that County, on the Land of *Robert Coleman*, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Petition from the County of *Lunenburg*, praying that a Town may be established where the Country's Magazine is erected in that County, is reasonable.

<sup>52</sup> *Resolved*, That it is the Opinion of this Committee, That the Petition from the County of *Halifax*, praying that a Town may be established on the Land of *James Roberts*, Jun. is reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Petitions from the Counties of *Culpeper* and *Orange*, praying that the Owners of Mills on the *Rapidan* River may be obliged to make Slopes in their Mill Dams to let Fish pass up the River, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That that Part of the Petition from the County of *King George*, praying that the Duty on Slaves may be lessened, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Residue of the said Petition, praying that Purchasers of Convicts may be obliged to give Security for their good behaviour, be rejected.

*Resolved*,



*Resolved*, That it is the Opinion of this Committee, That the Petition from the County of *Elizabeth City*, praying the Fees of Pilots may be regulated and established by Law, be rejected.

*Resolved*, That it is the Opinion of this Committee, That the Petition from the County of *Lunenburg*, praying that a Ferry may be established from the Land of *Francis Wagstaff*, over *Roanoke* River, to the Land of *Richard Palmer*, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Petition of *William Royster*, praying that a Ferry may be established over the said River from his Land, be rejected.

The four first Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

The fifth and sixth Resolutions being also read a second Time, and the Question severally put that the House agree thereto,

It passed in the Negative.

*Resolved*, That so much of the Petition from the County of *King George*, praying the Duty on Slaves may be lessened, be rejected.

*Resolved*, That so much of the said Petition from the County of *King George*, in the sixth Resolution mentioned, praying that Purchasers of Convicts may be obliged to give Security for their good Behaviour, is reasonable.

Then the three last Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That a Bill or Bills be brought in pursuant to the first, second, third, and fourth Resolutions; and also to so much of the Petition from the County of *King George*, as relates to the obliging Purchasers of Convicts to give Security for their good Behaviour; and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same. It is also

*Ordered*, That it be an Instruction to the said Committee to whom it is referred to bring in a Bill For establishing several new Ferries, that they receive a Clause or Clauses pursuant to the eighth Resolution.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 16th of March, 32 Geo. II. 1759.

A Petition of *John Baskerville*, setting forth, That a Slave of his was lately committed to Goal on Suspicion of poisoning some of his Neighbours Negroes; but before the Day appointed for his Trial the said Slave perished in Goal, the Weather being then severely cold, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Claim of *Richard Stephenson*, for a Servant Man enlisted into the Royal American Regiment, with a Certificate thereof, and also a Valuation of his Time of Service due, according to Law, thereto annexed, was presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claim in the Book of Claims.

A Petition of *Thomas Bridgeforth*, praying that an Act may pass to empower him to make a Causeway through the Marsh belonging to *Maximilian Robinson*, in the County of *Effex*, opposite to the Petitioner's Land, in Order to render the Passage over *Rappahannock* River at all Times practicable, expeditious and convenient; and after the same shall be compleated to establish a public Ferry from his Landing to the said Causeway, and

and with the Benefit thereof to himself, and also from the said Causeway back again to his landing, with the like Privilege, as long as the said *Maximilian Robinson* and his Heirs shall permit the same, and refuse to keep it themselves, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and, it is referred to Mr *Pendleton* to prepare and bring in the same.

A Petition of *Robert Armistead*, Gentleman, setting forth, That a Ferry was formerly kept over *Rappahannock* River, from *Fox's* old Plantation in *Lancaster* to *Week's* in *Middlesex*; which on the Application of *Baldwin Matthew Smith*, was some Years ago put down, and a Ferry established from *Teague's*, in the said County of *Lancaster*, to the lower Side of *Parrott's* Creek, *Middlesex*, but that Ferry was never kept up. That the Petitioner is now possessed of *Fox's* old Plantation aforesaid, and is desirous that the old Ferry may be re-established there, and the new one suppressed, which will be of great Advantage to Travellers, and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Upon a Motion made,

*Ordered*, That it be an Instruction to the Committee for Courts of Justices to whom it is referred to bring in a Bill For altering the Court Day of *Effex* County, to receive a Clause or Clauses for altering the Court Day of *Spotsylvania* County.

The Order of the Day being read;

The House resolved itself into a Committee upon the Bill For compleating the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £ 26,298. 17. 8, for recruiting, clothing, subsisting and providing for the same; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill on *Wednesday* next.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Saturday. the 17th of March. 32 Geo. II. 1759.

54 **A** Representation of *Adam Stephen*, Esq; Lieutenant-Colonel in the *Virginia* Regiment, in Behalf of the surviving Part of a Detachment of the said Regiment, which was engaged in a Skirmish before *Fort Du Quesne*, under the Command of Major *Grant*, setting forth That the said Detachment being overpowered by Numbers of the Enemy, was obliged to retreat, with the Loss of their Blankets and Shirts, and praying the Consideration of the House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Wythe* and Mr *Francis Lightfoot Lee*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill For appointing an Agent, and it is referred to Mr *Landon Carter* to prepare and bring in the same.

A Petition of *David Williams*, setting forth, That he was one of the Militia drawn out for the Protection of the Frontiers, in which Service he continued better than two Months, when he returned Home, though without Leave, and praying that he may be allowed his Pay, having never yet received any.

Also a Petition of sundry Freeholders, Housekeepers, and others, Inhabitants on, and near the River *Pamunkey*, in the Counties of *King William* and *Caroline*, setting forth



forth, That they are greatly distressed, especially in these Times of Scarcity, by Means of the Restraint they are under from setting up Weirs and Hedges for catching Fish in that River, and praying that they may have Liberty so to do.

Also a *Petition* of sundry Inhabitants of the Town of *Richmond*, praying that an Act may pass to restrain Hogs from going at Large in the said Town; were severally presented to the House and read, and the Question being severally put that the said *Petition* be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said *Petition* be rejected.

Mr *Attorney*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration the *Petition* of Mr *John Bell*, to them referred, complaining of an undue Election and Return of Mr *Henry Peyton*, to serve as a Burgess in this present General Assembly for the County of *Prince William*, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the said Resolution was again twice read, and agreed to by the House; and the said Report and Resolution are as follow:

At the beginning of this Session, your Committee fixed a certain Day for examining into the Allegations of the said *Petition*, but the Petitioner, nor any Person in his Behalf appearing, nor any Depositions being returned,

*Resolved*, That the said Mr *Henry Peyton* is duly elected to serve as a Burgess in this present General Assembly for the said County of *Prince William*.

Upon a *Motion* made,

*Resolved*, That the *Petition* of the said Mr *Bell*, complaining of an undue Election and Return of the said Mr *Peyton*, to serve as a Burgess in this present General Assembly for the County of *Prince William*, is frivolous and vexatious.

*Ordered*, That the said Mr *Bell* do pay unto the said Mr *Peyton* his Costs occasioned by the said *Petition*.

*Ordered*, That it be an Instruction to the Committee of Claims to regulate the said Costs, and to levy the same on the Petitioner in the Book of Claims.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For dividing the County of *Prince William*, and the same was read the first Time, and ordered to be read a second Time.

Mr *Francis Lightfoot Lee* reported, That the Committee to whom the Bill To enable the Inhabitants of the County of Loudoun to pay their public Dues and Officers Fees in Money, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a Third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the *Petition* from the Inhabitants of the Parish of *Bath*, in the County of *Dinwiddie*, praying that the Vestry of that Parish may be dissolved, is reasonable.

*Resolved*, That the *Petition* of *John Bramham*, Jun. praying that a Ferry may be established from his Landing, in *Orange* County, over the *Rapidan*, to the Landing of *Harbin Moore*, in the County of *Culpeper*, is reasonable.

*Resolved*, That the *Petition* from the County of *Prince William*, praying the Warehouses for the Inspection of Tobacco at *Occoquan*, in that County, may be discontinued, is reasonable.

*Resolved*, That so much of the *Petition* of the Inspectors at *Quantico* Warehouses, praying an additional Salary for their extraordinary Trouble the two last Years, is reasonable.

*Resolved*, That the Sum of ten Pounds a-piece ought to be paid to each of the said Inspectors, for their extraordinary Trouble in the said two Years.

*Resolved*,



*Resolved*, That the Refidue of the faid Petition, praying their Salaries may be raifed for the future, be rejected.

*Resolved*, That the Petition of the Infpectors at *Hunting Creek Warehoufes*, praying their Salaries may be raifed, be rejected.

*Resolved*, That the Petition of the Infpectors at *Rocky Ridge Warehoufes*, praying their Salaries may be raifed, be rejected.

*Resolved*, That the Petition from the County of *Fairfax*, praying that the Juftices of that County, who levied the Charge of building a Wharff at the public Warehoufes, in *Alexandria*, upon the Inhabitants of that County, may be obliged to refund the fame to the County, is reasonable.

*Resolved*, That the faid Wharff ought to be vefted in the Truftees of the faid Town of *Alexandria*, and they be impowered to take Wharfage, and out of the Money arifing thereby to pay the faid Juftices the Money fo by them to be refunded, and to apply the Overplus towards keeping the faid Wharff in Repair.

*Resolved*, That the Petition from the County of *Richmond*, praying that *Beckwith's* Warehoufes for the Infpection of Tobacco may not be difcontinued, be rejected.

*Resolved*, That the Petition of the Inhabitants of the Parifh of *Overwharton*, in the County of *Stafford*, praying that the Veftry of that Parifh may be divided, be rejected.

*Resolved*, That the Representation from the County of *Gloucefter*, againft the Printer, for not fending the Laws to that Court in a reasonable Time, be rejected.

*Resolved*, That the Petition of *Robert Armistead*, praying that the Ferry appointed to be kept from *Teagues*, in the County of *Lancaster*, over *Rappahannock* River, to the the lower Side of *Parrott's* Creek, in the County of *Middlefex*, may be put down, and a Ferry appointed from *Fox's* old Plantation, in the faid County of *Lancaster*, over the faid River, to *Week's* Plantation, in the faid County of *Middlefex*, is reasonable.

*Ordered*, That it be an Inftruction to the Committee of Propofitions and Grievances, to whom it is referred to bring in a Bill For diffolving the Veftry of the Parifh of *Saint Anne*, in *Albemarle*, that they receive a Clause or Claufes purfuant to the firft Refolution.

*Alfo*, That it be an Inftruction to the faid Committee, to whom it is referred to bring in a Bill For eftablifhing feveral new Ferries, that they receive a Clause or Claufes purfuant to the fecond and laft Refolutions.

*Ordered*, That a Bill or Bills be brought in purfuant to the third, ninth, and tenth Refolutions; and it is referred to the faid Committee to prepare and bring in the fame.

*Ordered*, That it be an Inftruction to the Committee of Claims, to make an Allowance in the Book of Claims, purfuant to the fifth Refolution.

Upon a *Motion* made,

*Ordered*, That the Committee for Courts of Juftice be difcharged from bringing in a Bill purfuant to the Prayer of the Petition from the Inhabitants of *Winchefter*, relating to Pedlars; and it is referred to the Committee of Trade to prepare and bring in the faid Bill.

An *Account of Philemon Waters*, for Waggonage on his Majefty's Service.

*Alfo* a *Petition of Michael Talbot*, praying to be allowed for a Horfe taken from him by the *Enemy Indians*, were feverally prefented to the Houfe and received.

*Ordered*, That the faid Account and Petition be referred to the Committee of Claims; That they do examine into the Allegations thereof, and report the fame, with their Opinions thereupon, to the Houfe.

*And then the Houfe adjourned till Monday Morning Eleven o'Clock.*

## Monday. the 19th of March. 32 Geo. II. 1759.

**A** *Claim of John Cosby*, for taking up a Runaway, therein mentioned.

*Alfo* a *Claim of Holt Richeson*, for taking up a Deferter therein mentioned, were feverally prefented to the Houfe and received.

*Ordered*, That it be an Inftruction to the Committee of Claims to allow the faid Claims in the Book of Claims.

A *Petition* of *John Hobson*, setting forth, That he is now attending in Custody of the Serjeant at Arms, having as he is informed, unhappily incurred the Displeasure of this House, by his Conduct at the late Election of Burgesses for the County of *Lunenburg*. That he had no Intention of violating the Freedom of Elections, and that if his Zeal to serve his Friends on that Occasion led him into any indiscreet Actions, he is heartily sorry for the same, and humbly begs Pardon of this House for his Offence, and submitting himself to the Pleasure of the House, was presented to the House and read.

*Ordered*, That the said *John Hobson* be discharged out of Custody, paying Fees.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For dissolving several Vestries therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

A Bill For vesting certain Lands, in the County of *Hanover*, in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for other Purposes therein mentioned, was read a second Time, and committed to the Members for *King William* and *Hanover* Counties.

An engrossed Bill, intituled, *An Act for reducing the several Acts made for laying an Additional Duty upon Liquors, into one Act*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

A *Petition* of fundry Inhabitants of the County of *Effex*, praying that an Act may pass for establishing a Town on the Lands of *Thomas Ley*, an Infant, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee of Propositions and Grievances; That they do examine into the matter thereof, and report the same, with their Opinions thereupon, to the House.

Several *Petitions* of fundry Inhabitants of the County of *Fairfax*, praying that an Act may pass for adding Part of the County of *Prince William* to the said County of *Fairfax*.

Also a *Petition* of fundry Inhabitants of the County of *Prince William* to the same Purpose, were severally presented to the House and read.

*Ordered*, That the said *Petitions* do lie on the Table.

An engrossed Bill, intituled, *An Act to enable the Inhabitants of the County of Loudoun to pay their public Dues and Officers Fees in Money, and for other Purposes therein mentioned*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Francis Lightfoot Lee* do carry up the said Bill to the Council for their Concurrence.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration a Bill For continuing an Act, intituled, *An Act for continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, to them committed, and had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments be engrossed, and read a third Time.

An engrossed Bill, intituled, *An Act to dock the Intail of certain Lands, whereof Tantal Banks is seized, and for settling other Lands, and certain Slaves, therein mentioned, of greater Value, to the same Uses*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Braxton* do carry up the said Bill to the Council for their Concurrence.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

Tuesday.



Tuesday, the 20th of March, 32 Geo. II. 1759.

A *Petition* of fundry Inhabitants of the Parish of *St. Peter*, in the County of *New Kent*, complaining of many illegal and oppressive Proceedings of the Vestry of the said Parish; and praying, that the same may be dissolved, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee of Propositions and Grievances; that they do examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

A *Petition* of *John Nash*, Jun. late a Captain of a Company of Militia, praying to be allowed for eight Guns, purchased by him for the Use of his said Company.

Also a *Petition* of *Walter Stewart*, setting forth, that he acted as Brigade-Major of the *Virginia* Troops, from the 7<sup>th</sup> of *June* to the Appointment of Captain *Robert Stewart* to that Office, for which he has never received any Satisfaction, and praying to be allowed for the same.

Also a *Petition* of fundry Justices of the County of *Prince William*, setting forth, that they lately imported for the Use of the Militia of their Country (besides 100 Guns) 100 Pair of Highland Pistols, which they judged would be very serviceable in Action, though they were not required by the Law then subsisting, describing the particular Sort of Arms the Militia was to be provided with, of which Law they were then not acquainted, as the same had never been published amongst them, and praying that the said Pistols may be received into the public Magazine, and such other Relief be granted as shall be thought reasonable.

Also a *Petition* of *James Jeter*, praying to be allowed for an Hoghead of Tobacco refused at *Bolling's* Point Warehouses, but not picked and reprimed before the said Warehouses were burned down, were severally presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee of Claims, that they do examine into the Allegations thereof, and report the same, with their Opinions thereupon, to the House.

59 A *Petition* of *Philip Johnson*, setting forth, that by a late Act of Assembly fundry Lots laid off by the Petitioner were annexed to, and made Part of, the City of *Williamsburg*; but that for Want of proper Streets leading thereto, from the said City, the said Lots were inconvenient to the Purchasers; that there were formerly several Streets belonging to the said City, which run through the same, extending to his Lands laid off as aforesaid, which have been since turned into Lots, and as such disposed of by the Directors of the said City, and praying the Consideration of the House therein.

Also a *Petition* of the Inspectors at *Rocky Ridge* Warehouses, praying an Addition to their Salaries for the Years 1757 and 1758, in Consideration of the Increase of the Quantity of Tobacco inspected by them, were severally presented to the House and read; and the Question being severally put, that the said Petitions be referred to a Committee, It passed in the Negative.

*Resolved*, That the said Petitions be rejected.

Mr *Bland*, from the Committee of Claims, reported, that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House as follow.

*Resolved*, That the Allegations of the *Petition* of *Jane Brown* are true, and that she ought to be allowed £7 for the Horse, Bridle and Saddle, in her *Petition* mentioned.

*Resolved*, That the Allegations of the *Petition* of *John M'Cowen* are true, and that he ought to be allowed £6. 10 for his own Horse, and £8 as Assignee of *Charles Wilson*, for another Horse impressed in the Service of the Colony.

*Resolved*, That the Allegations of the *Petition* of *Allan Mackrae*, Merchant, are true, and that he ought to be allowed £6. 3. 9 for 884 lb. of Tobacco, damaged and lost out of the nine Hogheads in his *Petition* mentioned, and £2. 5 for picking, packing and repriming, the same.

*Resolved*,



*Resolved*, That the Executors of *James Taylor*, deceased, one of the under Sheriffs of *Caroline County*, ought to be paid £3 for the Loss sustained by that Part of the Deposit in their Petition mentioned; and that the Petition of *John Burk*, the other under Sheriff in the said Petition mentioned, be rejected, it appearing to this Committee that he was a Gainer by his Part of the Sheriff's Collection of that County, after the Death of the said *James Taylor*.

*Resolved*, That the Petition of *Thomas Penman*, Keeper of the publick Goal, for enclosing the Prison Lots in the Manner mentioned in his Petition, be rejected.

*Ordered*, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

Several *Petitions* from sundry Inhabitants of the County of *Fairfax*, in Opposition to Petitions from other Inhabitants of that County, for adding Part of the County of *Prince William* to the said County of *Fairfax*, and for altering the present Boundaries of the said Counties of *Prince William*, *Fairfax* and *Loudoun*. 60

Also several *Petitions* from sundry Inhabitants of the County of *Prince William*, to the same Purpose.

Also a *Petition* from sundry Inhabitants of the County of *Loudoun*, to the same Purpose.

Also sundry *Petitions* from divers Inhabitants of the Town of *Alexandria*, in the said County of *Fairfax*, to the same Purpose, were severally presented to the House and read.

*Ordered*, That the said Petitions do lye on the Table.

Upon a *Motion* made,

*Ordered*, That the Committee to whom the Bill For enlarging the Towns of *Fredricksburg* and *Winchester* was committed, be discharged from proceeding on their Amendments to the said Bill, and the same is committed to the Committee of Propositions and Grievances.

Mr *Wythe*, from the Committee to whom the Representation of Lieutenant-Colonel *Adam Stephen*, of the *Virginia Regiment*, in Behalf of the surviving Part of a Detachment of that Regiment which was engaged in a Skirmish before Fort *Du Quesne*, under the Command of Major *Grant*, was referred, reported, That the Committee had had the same under their Consideration, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

It appeared to your Committee that the Forces commanded by Major *Grant*, in an Expedition against Fort *Du Quesne*, when they approached that Place, by his Orders, left behind them their Baggage, lest it might retard their March and encumber them in Time of Action: And that 100 Men of the Detachment from the *Virginia Regiment*, in the Skirmish near the Fort, overpowered by a much superior Number of the Enemy, were compelled to retreat, with the Loss of their Blankets and Shirts, which they have been since obliged to supply out of their Pay; and thereupon;

*Resolved*, That the said surviving Part of the Detachment of the *Virginia Regiment* ought to be allowed the Sum of £175.

*Ordered*, That the Treasurer's Accounts be referred to Mr *Charles Carter*, Mr *Bland*, Mr *Page*, Mr *Dudley Digges*, Mr *Harrison*, Mr *Pendleton*, Mr *Cary*, Mr *Lewis*, Mr *George Johnston*, Mr *Thomas Lee*, Mr *Richard Henry Lee*, and Mr *George Mason*; That they do examine into the several Articles thereof, and report the Balance as it shall appear to them, to the House.

Mr *Pendleton*, from the Committee appointed, presented to the House, according to Order, a Bill To empower *Thomas Bridgeforth* to erect a Causeway through the Marsh opposite to his Land, and to receive Ferriages for transporting Passengers to and from such Causeway, and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *James Cocke*, Clerk of the Treasury, praying an Addition to his Salary, in Consideration of the Encrease of his Business, was presented to the House and read.

*Ordered*,

<sup>61</sup> *Ordered*, That the said Petition be referred to the Committee to whom the Treasurer's Accounts are referred; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

An engrossed *Bill*, intituled, *An Act for continuing the Act intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Pendleton do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for further continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Charles Carter do carry up the said Bill to the Council for their Concurrence.

*Ordered*, That there be a Call of the House To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 21st of March, 32 Geo. II. 1759.

**S**EVERAL Claims of William Blakely, Michael Singleton, John Riggan, William Brown and Joseph Perrin, for taking up Runaways, therein mentioned.

Also the Claims of John Barratt, and Captain Pinkethman Hawkins, for taking up Deserters therein mentioned, were severally presented to the House and received.

*Ordered*, That it be an Instruction to the Committee of Claims to allow the said Claims in the Book of Claims.

A Claim of Edmund Browder, for a Quantity of Tobacco picked and put in Bulk in Bolling's Warehouses before the same were burned, was presented to the House and received, and referred to the Consideration of the Committee of Claims.

A Petition of John Southerland and Michael Wallis, Surgeons, setting forth, that, by Order of the County Lieutenant of Prince William, they attended one Isaac Norman, a Soldier who had been accidentally shot by one of the Officers of the Regiment, and praying such Allowance as shall be thought reasonable, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Claims; that they do examine into the Allegations thereof, and report the same with their Opinions thereupon, to the House.

A Message from the Council by Mr Walthoe.

<sup>62</sup> *That they have agreed to the Bill, intituled, An Act for continuing the Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act for further continuing an Act, intituled An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act.*

*Also to the Bill, intituled, An Act to dock the Intail of certain Lands whereof Tunstall Banks is seized, and for settling other Lands, and certain Slaves, therein mentioned, of greater Value, to the same Uses.*

*Also to the Bill, intituled, An Act for reducing the several Acts made for laying a Duty upon Liquors into one Act, without any Amendments.*

The Order of the Day being read for the House to resolve itself into a Committee upon the Bill For completing the Regiment in the Pay of this Colony to 1000 Men, to  
be



be continued in the Service until the 1<sup>st</sup> Day of *December* next, and for raising the Sum of £26, 298. 17. 8 for recruiting, clothing, subsisting and providing, for the same.

*Ordered*, That it be an Instruction to the said Committee, to receive a Clause, or Clauses, for raising an additional Number of 500 Men, to be employed in the Service of this Colony.

And then the House resolved itself into a Committee upon the said Bill, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their further Consideration, and made some Amendments thereto, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again [resolve] itself into a Committee upon the said Bill To-morrow.

*Ordered*, That Mr *Dandridge* have leave to be absent from the Service of this House till *Monday* next.

A *Petition* of sundry Inhabitants of the upper and lower Precincts of *Christ Church* Parish, in the County of *Lancaster*, setting forth, that each Precinct of the said Parish, though but one, has hitherto acted separate from the other in all Parochial Matters, except some few Particulars, with a Vestry of 12 Men belonging to each Part, which frequently occasions Disputes and Controversies; and further, that some of the said Vestry have not subscribed to be conformable to the Doctrine and Discipline of the Church of *England*, and praying that the said Vestries may be dissolved, the two Precincts united into one Parish, and one Vestry appointed for the whole, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; that they do examine into the Matter thereof, and report the same, with their Opinions thereupon, to the House.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 22d of March, 32 Geo. II. 1759.

MR *Landon Carter*, from the Committee for Courts of Justice, presented to the House, according to Order, a Bill For altering the Court Days of the Counties of *Effex* and *Spotsylvania*; and the same was read the first Time, and ordered to be read a second Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To oblige the Owners of Mills on the River *Rapidan*, to make Openings or Slopes in their Mill Dams for the Passage of Fish, and the same was read the first Time, and ordered to be read a second Time.

The *Order* of the Day being read;

The House again resolved itself into a Committee upon the Bill For completing the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their further Consideration, and made several other Amendments thereto, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

Upon a *Motion* made,

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding further on the Petition of sundry Merchants, Planters, and others, trading to *York* River, for removing the Warehouses for Inspection of Tobacco from *Crutchfield's* and



and *Page's* to *Newcastle*. And it is further ordered, That the Consideration of the said Petition be put off till next Session.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 23d of March, 32 Geo. II. 1759.

The Order of the Day being read;

The House again resolved itself into a Committee upon the Bill For compleating the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £26,298. 17.8, for recruiting, clothing, subsisting, and providing for the same; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their further Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill on *Tuesday* next.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To prohibit Masters and Owners of Slaves to give general Licences to trade for themselves, and the same was read the first Time, and ordered to be read a second Time.

A Bill To impower *Thomas Bridgforth* to erect a Causeway through the Marsh opposite to his Land, and to receive Ferriages for transporting Passengers to and from such Causeway, was read a second Time, and committed to the Committee of Propositions and Grievances.

64 Mr *Gaines* reported, That the Committee to whom the Bill For vesting certain Lands in the County of *Hanover*, in *Philip Whitehead Claiborne*, Gentleman, in Fee Simple, and for other Purposes therein mentioned, was committed, had examined into the same, and found the Allegations thereof to be true; and he delivered the Bill in at the Table.

*Ordered*, That the said Bill be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee, That the Petition of *Benjamin Grymes*, praying that he may be allowed to keep a Ferry from the public Quay in the Town of *Fredericksburg*, to the Land of *Anthony Strother*, in the County of *King George*, be rejected.

*Resolved*, That it is the Opinion of this Committee, That the Petitions of the Trustees and Directors of the Town of *Fredericksburg*, and of *James Hunter*, an Orphan, in Opposition thereto, are reasonable.

*Resolved*, That it is the Opinion of this Committee, That the Proposition from the County of *Spotsylvania*, for repealing the Act of Assembly, intituled, *An Act for altering the Place for holding Courts in the County of Spotsylvania*, be rejected.

*Resolved*, That it is the Opinion of this Committee, That the Petition from the said County, in Opposition thereto, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That so much of the Petition of the Inhabitants of that Part of the Parish of *Suffolk*, in the County of *Nansemond*, called the Lower Parish, praying the Vestry of the said Parish may be dissolved, is reasonable.

*Resolved*, That it is the Opinion of this Committee, That so much of the said Petition, praying that that Part of the said Parish of *Suffolk*, called the Lower Parish, may elect twelve Vestrymen, and that Part called *Chuckatuck* twelve others, be rejected.

*Resolved*,

*Resolved*, That it is the Opinion of this Committee, That all the Donations in the said Petition mentioned, to wit, that of *Richard Bennett*, the Elder, Esq; of *Thomas Lilly*, and of *Richard Bennett*, the Younger, Esq; ought to be applied solely to the Relief of the Poor of that Part of the said Parish of *Suffolk*, called the Lower Parish, and to no other Use Whatsoever.

*Resolved*, That it is the Opinion of this Committee, That the Inhabitants on each Side of *Nansmond* River, in the said Parish of *Suffolk*, ought to chuse six Vestrymen; and that when a Vacancy happens, the same ought to be filled up by the Vestry, with an Inhabitant of the Parish dwelling on that Side the River where the Vacancy happens to be.

*Resolved*, That it is the Opinion of this Committee, That the Petition of the Inhabitants of the Residue of the said Parish of *Suffolk*, in Opposition to the Petition of the Inhabitants of that Part of the said Parish, called the Lower Parish, be rejected.

*Resolved*, That it is the Opinion of this Committee, That the Petition of the Inhabitants of the Parish of *Christ Church*, in the County of *Lancaster*, praying the Vestry of the said Parish may be dissolved, is reasonable. 65

The two first Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That the further Consideration of the third and fourth Resolutions be put off till To-morrow.

The fifth, sixth, and seventh Resolutions being also read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

The eighth Resolution being also read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

Then the ninth and tenth Resolutions being also read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That a Bill or Bills be brought in pursuant to the fifth and seventh Resolutions; and it is referred to Mr *Lemuel Riddick* to prepare and bring in the same.

*And then the House adjourned till Tomorrow Morning Eleven o'Clock.*

## Saturday, the 24th of March. 32 Geo. II. 1759.

MR *Riddick*, presented to the House, according to Order, a Bill For dissolving the Vestry of the Parish of *Suffolk*, in the County of *Nansmond*, and for other Purposes therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, intituled, An Act to enable the Inhabitants of the County of Loudoun to pay their public Dues and Officers Fees in Money, and for other Purposes therein mentioned.*

Mr *Wythe*, from the Committee appointed, presented to the House, according to Order, a Bill For the better regulating *Eaton's* Charity School, and the same was read the first Time, and ordered to be read a second Time.

Mr *Bland*, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration several Petitions, and a Memorial, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then



then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *James Jeter* be rejected; it appearing to this Committee that the said *Jeter* hath already been paid for the Hoghead of Tobacco in his Petition mentioned.

66 *Resolved*, That the Allegations of the Petition of *John Baskerville* are true; and that he ought to be allowed the Sum of £85 for the Slave in his Petition mentioned.

*Resolved*, That the Allegations of the Petition of *Michael Tebolt* are true; and that he ought to be allowed the Sum of £10, for the Horse in his Petition mentioned.

*Resolved*, That so much of the Petition of *John Moreton* and *Thomas Moreton*, as relates to their own Pay, is reasonable; and that the rest of the said Petition, as to the Pay of the Non-Commission Officers and private Men, be rejected.

*Resolved*, That the Allegations of the Petition of *John Sutherland* and *Michael Wallis*, Surgeons, are true; and that they ought to be allowed the Sum of £6, for their Services in the said Petition mentioned.

*Resolved*, That the Petition of the Justices of the County of *Prince William* is reasonable; and that the Pistols, in the Petition mentioned, which cost the Petitioners the Sum of £257. 6. 8. current Money, will be useful to the Public.

*Resolved*, That the Memorial of *Walter Stewart*, a Captain in the first *Virginia* Regiment, is reasonable; and that he ought to be allowed the Sum of £27. 10 for his Pay as Brigade-Major to the *Virginia* Troops from the seventh of *June* to the first of *August* last past.

*Resolved*, That the Allegations of the Petition of *Thomas Hall* are true; and that he ought to be allowed the Sum of £6. 5, with Interest thereon according to the Act of Assembly, for the Hoghead of Tobacco in his Petition mentioned, which was burnt at *Bolling's Point* Warehouses.

*Resolved*, That the Petition of *John Nash*, Jun. be rejected.

*Ordered*, That it be an Instruction to the said Committee to make the several Allowances in the Book of Claims pursuant to the second, third, fourth, fifth, sixth, seventh, and eight Resolutions.

*Mr Randolph*, according to Order, presented to the House, a Bill For appointing an Agent, and the same was read the first Time, and ordered to be read a second Time.

The said *Bill* was read a second Time.

67 Upon a *Motion* made,

*Ordered*, That the said Bill be engrossed, and read a third Time.

*Mr Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition from the County of *Effex*, praying that a Town may be established on the Land of *Thomas Ley*, an Infant, on *Rappahannock* River, in the said County, is reasonable.

*Resolved*, That the Petition from the County of *Halifax*, praying that Warehouses for the Inspection of Tobacco may be erected on the Confluence of the Rivers *Dan* and *Staunton*, on the Land of the Honorable *William Byrd*, Esquire, be rejected.

*Ordered*, That it be an Instruction to the Committee of Propositions and Grievances, to whom the Bill For enlarging the Towns of *Fredericksburg* and *Winchester*, is committed, that they receive a Clause or Clauses pursuant to the first Resolution.

Upon a *Motion* made,

*Ordered*, That the Consideration of the two Resolutions from the Committee of Propositions and Grievances, made Yesterday, and referred to be considered this Day, be put off till *Tuesday* next.

And then the House adjourned till Monday Morning Eleven o'Clock.

Monday.



Monday, the 26th of March, 32 Geo. II. 1759.

**A** Bill For vesting certain Lands belonging to the *Pamunkey Indians* in Trustees, to be leased out for their Benefit, was read a second Time.

*Ordered*, That the said Bill be ingrossed, and read a third Time.

*Mr Bland*, from the Committee of Claims, reported, that the Committee had, according to Order, had under their Consideration the Petition of *William Alcock* and *Nicholas Ware*, Inspectors at *Conway's Warehouse*; and the Petition of *William Garrard*, to them referred; and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Allegations of the Petition of the said *William Alcock* and *Nicholas Ware* are true, and that they ought to be paid £18. 19. 6 which they paid to the Owners of the 2050 lbs. of Tobacco, which was stolen out of the Warehouses, after the same were broke open.

*Resolved*, That the Petition of *William Garrard* be rejected, it not appearing to this Committee that the Horses mentioned in the said Petition were employed in the Service of the Colony.

*Ordered*, That it be an Instruction to the Committee of Claims to make an Allowance in the Book of Claims, pursuant to the first Resolution.

A Bill For the better regulating *Eaton's Charity School* was read a second Time, and committed to *Mr Wythe*, and the Members for *Elizabeth City County*.

A Bill To oblige the Owners of Mills, on the River *Rappidan*, to make Openings or Slopes in their Mill Dams for the Passage of Fish, was read a second Time, and committed to the Committee of Propositions and Grievances.

A Bill For dividing the County of *Prince William* was read a second Time.

*Ordered*, That the said Bill be ingrossed, and read a third time.

*Ordered*, That the several Petitions from the several Counties of *Prince William Fairfax* and *Loudoun*, for and against the Division of the said County of *Prince William*, presented to the House on the 19<sup>th</sup> and 20<sup>th</sup> Instants, and ordered to lye on the Table, be referred to the Committee of Propositions and Grievances; that they do examine into the Matter of the said Petitions, and report the same, with their Opinions thereupon, to the House.

A Message from the Governor was delivered by *Mr Walthoe*.

*Mr Speaker*, and Gentlemen of the House of Burgeses,

The Governor commands the immediate Attendance of your House in the Council Chamber.

Accordingly, *Mr Speaker*, with the House, went up; and being returned, he reported, 88  
that he with the House had attended the Governor in the Council Chamber, where his Honor was pleased to signify to him, that he had just received a Letter from the Right Honorable *Mr Secretary Pitt*, dated at *Whitehall* the 29<sup>th</sup> of *December* last, by one of his Majesty's Ships of War, sent Express to this and the other Governments on the Continent; which Letter he had delivered to him, and desired him to lay it before this House, at the same Time recommending it to their immediate Consideration; and he delivered the said Letter in at the Table, where it was read.

*Ordered*, That the said Letter be referred to the Consideration of the Committee of the whole House, to whom the Bill For completing the Regiment in the Pay of this Colony to 1000 Men, to be continued in the Service until the first Day of *December* next, and for raising the Sum of £26,298. 17. 8 for recruiting, clothing, subsisting and providing for the same, is committed.

*Mr Bland*, from the Committee of public Claims, reported, that the Committee had examined and considered all the publick Claims which had been laid before them this Session

Session, and agreed upon a Report, which he had entered in a Book, and he delivered the Book in at the Table.

*Ordered*, That the said Report do lye on the Table.

A *Bill* For encouraging Arts and Manufactures was read a second Time, and committed to Mr *Charles Carter*, Mr *George Johnston*, Mr *Francis Lightfoot Lee* and Mr *Bland*.

A *Bill* For dissolving several Vestries therein mentioned was read a second Time, and committed to the Committee of Propositions and Grievances.

*Ordered*, That it be an Instruction to the said Committee, that they receive a Clause or Clauses, for dissolving the Vestry of the Parish of *Christ Church*, in the County of *Lancaster*, pursuant to the Resolutions of the said Committee, agreed to by the House on *Friday* last.

An engrossed *Bill*, intituled, *An Act for vesting certain Lands, in the County of Hanover, in Philip Whitehead Claiborne, Gentleman, in Fee Simple, and for other Purposes therein mentioned*, was read a third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Gaines* do carry up the said *Bill* to the Council for their Concurrence.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 27th of March. 32 Geo. II. 1759

UPON a Motion made,

*Ordered*, That Leave be given to bring in a *Bill* To impower *Bernard Moore*, Gentleman, acting Executor of the Will of *John Spotswood*, Esq; to apply the Rents and Profits of the entailed Estate whereof he died seized, to the Payment of the Debts and Legacies of his Father Major-General *Spotswood*, deceased; and it is referred to Mr *Wythe* to prepare and bring in the same.

An engrossed *Bill*, intituled, *An Act for appointing an Agent*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

The House proceeded to the Consideration of the two Resolutions (Part of the Report) from the Committee of Propositions and Grievances made on *Friday* last, and referred to be considered this Day; and the said Resolutions being again read, and the Question severally put, that the House do agree thereto,

It passed in the Negative.

*Resolved*, That the Proposition from the County of *Spotsylvania*, in the first of the said Resolutions mentioned, for repealing the Act of Assembly, intituled, *An Act for altering the Place for holding Courts in the County of Spotsylvania*, is reasonable.

*Ordered*, That a *Bill* or *Bills* be brought in pursuant to the said Resolution, and it is referred to Mr *Lewis* and Mr *William Waller* to prepare and bring in the same.

The Order of the Day being read, for the House to resolve itself into a Committee upon the *Bill* For completing the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same.

*Resolved*, That this House will again resolve itself into a Committee upon the said *Bill* To-morrow.

A *Bill* For further continuing the Act, intituled, *An Act for reviving the Duty upon Slaves, to be paid by the Buyers, for the Term therein mentioned*, was read a second Time.

*Ordered*, That the said *Bill* be engrossed, and read a third Time.

An engrossed *Bill*, intituled, *An Act for vesting certain Lands belonging to the Pamunkey Indians in Trustees, to be leased out for their Benefit*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*,



*Ordered*, That Mr *Gaines* do carry up the said Bill to the Council for their Concurrence.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration the Petition of fundry Inhabitants of the Parish of *Saint Peter*, in the Counties of *New Kent* and *James City*, praying the Vestry of the said Parish may be dissolved, to them referred, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said Petition be rejected.

A Motion was made for Leave to bring in a Bill For dissolving the County of *Hampshire*, and re-uniting it to the County from whence it was taken; and the Question being put thereupon,

It passed in the Negative.

*And then the House adjourned till To-morrow Morning, Eleven o'Clock.*

## Wednesday, the 28th of March, 32 Geo. II. 1759.

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MR. *Lewis* presented to the House, according to Order, a Bill For repealing the Act for altering the Place for holding Courts in the County of *Spotsylvania*, and the same was read the first Time, and ordered to be read a second Time.

The House proceeded to the Consideration of the Book of Claims, and Part thereof was read and agreed to, with some Amendments.

*Ordered*, That the further Consideration of the said Book be put off till To-morrow.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To put *Matchotique* and *Mattox* Warehouses, in the County of *Westmoreland*, under one Inspection; for erecting a Warehouse at *Stratford* Landing in the said County, and other Purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

Mr *Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill For reducing the several Acts for licensing Pedlars, and preventing Frauds in the Duties upon Skins and Furs into one Act; and the same was read the first Time, and ordered to be read a second Time.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, intituled, An Act for appointing an Agent, with some Amendments, to which they desire the Concurrence of this House.*

*Also to the Bill, intituled, An Act for vesting certain Lands, in the County of Hanover, in Philip Whitehead Claiborne, Gentleman, in Fee Simple, and for other Purposes therein mentioned, without any Amendments.*

The House immediately proceeded to the Consideration of the Amendments proposed by the Council to the Bill For appointing an Agent: and the same being read, were agreed to.

*Ordered*, That Mr *Charles Carter* do go up with a Message to the Council, and inform them thereof.

The Order of the Day being read, for the House to resolve itself into a Committee upon the Bill For completing the Regiment in the Pay of this Colony to one Thousand Men, to be continued in the Service until the first Day of *December* next, and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For appointing several new Ferries; and the same was read the first Time, and ordered to be read a second Time.

Mr



M<sup>r</sup> Carter also reported, That the said Committee had made several Amendments to the Bill For enlarging the Towns of *Fredericksburg* and *Winchester*, to them committed, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where they were again read.

*Ordered*, That the said Bill be recommitteed to the said Committee.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

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## Thursday, the 29th of March, 32 Geo. II. 1759.

THE Order of the Day being read ;

The House again resolved itself into a Committee upon the Bill For compleating the Regiment in the Pay of this Colony to one Thousand Men, to be continued in the Service until the first Day of *December* next ; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same ; and after some Time spent therein, M<sup>r</sup> Speaker resumed the Chair, and M<sup>r</sup> Charles Carter reported, That the Committee had had the said Bill under their further Consideration, together with M<sup>r</sup> Secretary Pitt's Letter, to the said Committee referred ; and that they had made several Amendments to the said Bill, which they had directed him to report to the House ; and he read the same in his Place, and then delivered them in at the Table, where they were again read, and Part thereof agreed to, with an Amendment.

*Ordered*, That the further Consideration of the said Amendments be put off till To-morrow.

*Ordered*, That the further Consideration of the Book of Claims be put off till To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 30th of March, 32 Geo. II. 1759.

A Bill For repealing the Act for altering the Place for hold ing Courts in the County of *Spotsylvania*, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

An engrossed Bill, intituled, *An Act for further continuing the Act, intituled, An Act for reviving the Duty upon Slaves, to be paid by the Buyers, for the Term therein mentioned*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> Charles Carter do carry up the said Bill to the Council for their Concurrence.

A Message from the Council by M<sup>r</sup> Walthoe.

*That they have agreed to the Bill, intituled, An Act for vesting certain Lands, belonging to the Pamunkey Indians, in Trustees, to be leased out for their Benefit, with some Amendments, to which they desire the Concurrence of this House.*

A Motion was made for Leave to bring in a Bill To supply the Deficiencies of Part of the Fund appropriated for the Redemption of the Treafury Notes ; and the Question being put thereupon,

It passed in the Negative.

M<sup>r</sup> Bland, from the Committee of Claims, reported, That the Committee had, according to Order, had under their Consideration the Accounts for Damages done by the *Indians* which were returned to this present Session by the several Commissioners, according to the Directions of the Act of Assembly in *September* last ; and also the Accounts for Horses  
lost

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lost on the *Shawnee* Expedition; and the Accounts for Provisions, and the Pay of the Militia, which have not been before settled and allowed; and had agreed upon a Report, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the said Report do lie on the Table, for the Perusal of the Members of this House.

The House proceeded to the further Consideration of the Amendments proposed by the Committee of the whole House, to the Bill For completing the Regiment in the Pay of this Colony to One Thousand Men, to be continued in the Service until the first Day of *December* next; and for raising the Sum of £26,298. 17. 8, for recruiting, clothing, subsisting, and providing for the same; and the rest of the said Amendments being again read, were agreed to by the House, with some Amendments.

*Ordered*, That the Bill, with the Amendments, as amended, be engrossed, and read a third Time.

A Motion was made for Leave to bring in a Bill To oblige the Importers of Slaves, for their own Use, to pay a Duty; and the Question being put thereupon,

It passed in the Negative.

*Ordered*, That Mr *Green* have Leave to be absent from the Service of this House for the Remainder of this Session, and Mr *Randolph* till this Day Se'nnight.

*Ordered*, That the further Consideration of the Book of Claims be put off till To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday. the 31st of March. 32 Geo. II. 1759.

MR *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To oblige the Justices of *Fairfax* to refund to the County a quantity of Tobacco, and for other Purposes therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

Mr *Carter* also reported, That the said Committee had, according to Order, had under their Consideration the Bill To empower *Thomas Bridgforth* to erect a Causeway through the Marsh opposite to his Land, and to receive Ferriages for transporting Passengers to and from such Causeway, and had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where they were again twice read, and agreed to by the House.

Then the Question being put that the said Bill be engrossed, and read a third Time, It passed in the Negative.

*Resolved*, That the said Bill be rejected.

Upon a Motion made,

*Ordered*, That the Speaker do transmit to Colonel *Peter Schuyler*, of the *Jerseys*, the Thanks of this House, for his unparalleled Tendernefs and Humanity to Captain *Robert Stobo* and several other Inhabitants of this Colony, who have been, and still are unfortunate Prisoners in *Canada*; and that the Treasurer of this Colony do, by the first convenient Opportunity, remit to him the full Amount of his Account, now laid before this House, with Interest from the Time the Money was advanced.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill To oblige the Purchasers of Convicts to give Security for their good Behaviour, and the same was read the first Time, and the Question being put that it be read a second Time,

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill, intituled, *An Act for vesting certain Lands, belonging to the Pamunkey Indians*,



Indians, in *Trustees*, to be leased out for their *Benefit*, and the same being read, were agreed to.

*Ordered*, That Mr *Pendleton* do go up with a Message to Council, and inform them thereof.

An engrossed *Bill*, intituled, *An Act for repealing the Act for altering the Place for holding Courts in the County of Spotylvania*, was read a third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Lewis* do carry up the said *Bill* to the Council for their Concurrence.

Mr *Charles Carter* reported, That the Committee of Propositions and Grievances, to whom the *Bill* To oblige the Owners of Mills, on the River *Rapidan*, to make Openings or Slopes in their Mill Dams for the Passage of Fish, was committed, had had the same under their Consideration, and made several Amendments thereto, which he read in his Place, and then delivered the *Bill*, with the Amendments, in at the Table, where the said Amendments were again twice read, and Part agreed to, and the rest disagreed to.

*Ordered*, That the said *Bill*, with the Amendments agreed to, be engrossed, and read a third Time.

*Ordered*, That the further Consideration of the Book of Claims be put off till To-morrow.

*And then the House adjourned till Monday Morning Eleven o'Clock.*

## Monday, the 2nd of April, 32 Geo. II. 1759.

THE House resumed the adjourned Consideration of the Book of Claims, and other Part thereof was read, and agreed to.

*Ordered*, That the further Consideration of the said Book be put off till To-morrow.

74 Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported, That the Committee had had under their Consideration divers Propositions from several Counties, to them referred, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the several Petitions from the Counties of *Prince William* and *Fairfax*, praying that Part of the said County of *Prince William* may be added to the County of *Fairfax*, be rejected.

*Resolved*, That the several Petitions from the Counties of *Fairfax* and *Prince William*, in Opposition thereto, are reasonable.

*Resolved*, That the Petition from the County of *Prince William*, praying that if the said County is divided, two Thousand Tithables may be left in the said County, be rejected.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a *Bill* For paying the Burgeffes Wages in Money, for this present Session of Assembly, and it is referred to Mr *Bland* to prepare and bring in the same.

An engrossed *Bill*, intituled, *An Act for granting an Aid to his Majesty for the better Protection and Defence of this Colony, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

*Ordered*, That Mr *Washington* have Leave to be absent from the Service of this House for the Remainder of this Session.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

**Tuesday.**

Tuesday. the 3rd of April. 32 Geo. II. 1759.

THE House proceeded to the further Consideration of the Book of Claims, and other Part thereof was read, and agreed to.

*Ordered*, That the further Consideration of the said Book be put off till To-morrow.

Mr *Attorney*, from the Committee of Privileges and Elections, reported, That the Committee had had under their Consideration the Information against Mr *Thomas Johnson*, to them referred; examined into the Matter thereof, agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and with an Amendment made and agreed to by the House, is as follow:

It appears to this *Committee*, by the Evidence of several Witneffes, who were solemnly examined upon Oath, That Mr *Johnson*, at his own House, on the Evening of *Louisa* Court Day, in the Month of *November* last, introduced a Discourse concerning Mr *Walker's* Conduct as a Contractor for Provisions, and concerning the Proceedings of the House of Burgeffes in the Session held the *September* before; in which Discourse, among other Things, he said, "That Mr *Walker* had cheated the Country out of eleven Hundred Pounds; and being asked how it was possible for Mr *Walker* to impose upon so many Gentlemen as the House of Burgeffes consisted of, and yet not only continue in Office, but be courted so to do; answered, "You know little of the Plots, Schemes, and Contrivances that are carried on there; in short, one holds the Lamb while the other skins; many of the Members are in Places of Trust and Profit, and others want to get in, and they are willing to assist one another in passing their Accounts; and it would surprize any Man to see how the Country's Money is squandered away, which he had used his Endeavours to prevent, and could never succeed but once, and that to a trifling Amount. That when the Clerk's Salary was proposed, he walked through the Burgeffes, and nodded to his Creatures or Partizans on each Side, who followed him out of the House: That he, Mr *Johnson*, also received a Nod, which he disregarded, but being afterwards particularly beckoned to went out, and was solicited by Mr *Randolph*, the Clerk, and many of the Members, to be for the largest Sum which was proposed for the Clerk's Salary, which he refused, but most of the other Members went in and voted for the largest Sum, which was carried."

*Resolved*, That the aforementioned words, spoken by Mr *Johnson*, are false, scandalous, and malicious, and reflect highly on the Honor of the House.

And a Debate thereon arising, and the Question being put that the House do agree to the said Resolution, the House divided,

Yeas, 37,

Noes, 32,

*Resolved* in the Affirmative.

And thereupon, a *Motion* was made, and it was accordingly

*Ordered*, That the Speaker be directed to reprimand the said Mr *Johnson*, in his Place, for his Offence, mentioned in the said Resolution.

Mr *Johnson* was accordingly called in, and Mr *Speaker*, from the Chair, did reprimand him, in his Place, accordingly.

Upon a *Motion* made,

*Ordered*, That it be an Instruction to the Committee of Privileges and Elections to regulate and settle the Costs and Charges accruing on the information against the said Mr *Johnson*.

A *Message* from the Council by Mr *Walthoe*.

That they have agreed to the Bill, intituled, An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned.

*Also*



*Also to the Bill, intituled, An Act for further continuing the Act, intituled, An Act for reviving the Duty upon Slaves, to be paid by the Buyers, for the Term therein mentioned.*

Upon a *Motion* made,

*Ordered, That John Buchanan, of Augusta, do, within three Months from this Time, settle with the Commissioners, in Williamsburg, appointed by an Act of Assembly for that Purpose, his Account of the Provisions by him purchased for the Cherokee Indians, and render to them an exact Account how the same was applied, and to whom delivered.*

76 Mr *Nicholas*, from the Committee appointed, presented to the House, according to Order, a Bill To amend an Act, intituled, *An Act for regulating Ordinaries and Restraint of tipling Houses*, and the same was read the first Time, and ordered to be read a second Time.

An engrossed *Bill*, intituled, *An Act for dividing the County of Prince William*, was read the third Time, and the Blanks therein filled up.

*Resolved, That the Bill do pass.*

*Ordered, That Mr Henry Lee do carry up the said Bill to the Council for their Concurrence.*

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 4th of April. 32. Geo. II. 1759.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A *Bill* For appointing several new Ferries, was read a second Time, and committed to Mr *Bland*, Mr *Pendleton*, and Mr *Terry*.

Upon a *Motion* made,

*Ordered, That the Committee to whom the Bill For the better regulating Eaton's Charity School was committed, be discharged from proceeding thereon; and that the said Bill be committed to the Committee of Propositions and Grievances.*

Mr *Wythe* presented to the House, according to Order, a Bill To enable the Executors of the Will of *John Spotswood, Esq*; deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, and for other Purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

Upon a *Motion* made,

*Ordered, That an Address be made to the Governor, to inform his Honor that it is the Sense of this House, that the Commissioners appointed by an Act of Assembly, intituled, An Act for appointing Commissioners to examine and state the Accounts of Provisions, and the Pay of the Militia, and of the Damages done the Inhabitants of this Colony by the Cherokee and Catawba Indians, and for other Purposes therein mentioned, have no Power to settle any Accounts accruing since the passing the said Act; and to desire that his Honor will be pleased to stop the Payment of the Warrants lately granted to Captain *Sayers* and *Brackenridge* for the Pay of their Companies of Militia, and that he will be pleased to grant no more Warrants on such Certificates.*

An engrossed *Bill*, intituled, *An Act to oblige the Owners of Mills, on the River Rappahannock, to make Openings or Slopes in their Mill Dams, for the Passage of Fish*, was read the third Time, and the Blanks therein filled up.

*Resolved, That the Bill do pass.*

*Ordered, That Mr Charles Carter do carry up the said Bill to the Council for their Concurrence.*

77 A *Messsage* from the Council by Mr *Walthoe*,

*That they have agreed to the Bill, intituled, An Act for repealing the Act for altering the*

the Place for holding Courts in the County of *Spotsylvania*, with some Amendments, to which they desire the Concurrence of this House.

*Ordered*, That a Committee be appointed to examine the inrolled Bills, to consist of the following Persons, viz. Mr *William Digges*, Mr *William Waller*, Mr *Read*, Mr *Cabbell*, Mr *Henry Lee*, Mr *George Johnston*, and Mr *Robinson*.

Mr *Charles Carter* reported, That the Committee appointed to examine the Treasurer's Accounts had, according to Order, had the same under their Consideration, and examined all the several Articles and Vouchers thereof, and had agreed upon a Report, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

It appears that the said Accounts are truly stated; and that there remains in the Treasurer's Hands a Balance arising on the Duties from Liquors and Slaves, and on Writs, Ordinary Licences, and Wheel Carriages, and the Balances paid in by the Inspectors of public Warehouses, the Sum of £398. 11. 4. That there remains in the Treasurer's Hands £3993. 16. 11, of the Money reserved for the Redemption of the old Notes bearing Interest, so many of the said Notes remaining still out. That burnt Tobacco Notes, not yet taken in, amount to £4996; and there is in the Treasurer's Hands, of the Fund appropriated for their Redemption, £4590. 7. 8, the said Fund being deficient the Sum of £405. 12. 4. That there still remains in the Treasurer's Hands the Sum of £3500 the Balance due to the Commissioners for the *Indian Trade*, as mentioned in the former Accounts. That there hath come to the Treasurer's Hands for the Duty on Tobacco in 1758, and for the Land and Poll Tax in the said Year, and some Arrears of the Years 1756 and 1757, the Sum of £21,798. 18, which remains for the Redemption of the Treasury Notes redeemable in the Year 1765. That there also remains in the Treasurer's Hands a Balance of £17,633. 4. 6 for the Treasury Notes emitted in *September*, 1758, the Balance of former Treasury Notes, the Money due to the Rangers, and for Arrears. That it appears to the Committee that in the Year 1758, the Secretary's Office was robbed of a considerable Sum of Money, among which was the Sum of £7. 1 of the Money received for the Tax on Writs issued out of the said Office, which Sum is allowed to the Clerk of the General Court in his Account of the said Tax. The Committee further inform the House, That it appears upon the said Accounts that there are large Arrears due from many of the Sheriffs and Collectors of the Duties and Taxes imposed for raising the several Funds before mentioned.

*Resolved*, That the said Accounts do pass.

*Ordered*, That Mr *Charles Carter* do carry up the Treasurer's Accounts to the Council for their Concurrence.

Mr *Carter* also reported, That the said Committee had had under their Consideration the Petition of *James Cocke*, to them referred, praying that his Salary, as Clerk of the Treasury, may be encreased; and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and is as follows: 78

*Resolved*, That the said Petition is reasonable, and that the Petitioner ought to be allowed an additional Salary of Fifty Pounds a Year, for his said Service.

And the *Question* being put that the said Resolution be agreed to,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To prevent Mutiny and Defertion, and it is referred to Mr *Cary* to prepare and bring in the same.

Mr *Attorney*, from the Committee of Privileges and Elections, reported, That the Committee had, according to Order, stated an Account of the Charges accruing on the Information against Mr *Thomas Johnson*; and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*,



*Resolved*, That the following Persons ought to be paid the Sums opposite to their respective Names.

	Miles	lbs. Tob.
<i>Benjamin Brown</i> , for two Days Attendance, coming and returning,	82	366
<i>John Hawkins</i> , the same,	87	381
<i>Samuel Ragland</i> , the same,	94	402
<i>John M'Cally</i> , one Days Attendance,	131	453
<i>John Jouett</i> , the same,	102	366
<i>Waddy Thompson</i> , the same,	102	366
<i>John Grainger</i> , for carrying the Summons to <i>Hanover</i> , ten Shillings.		
<i>William Wade</i> , for ferving the same on the Witneffes in the Counties of <i>Hanover</i> , <i>Goochland</i> , and <i>Louisa</i> , £1. 15.		

*Ordered*, That it be an Inftruction to the Committee of Claims to allow the feveral Quantities of Tobacco and Money above mentioned to the Persons thereto refpectively entitled, and in the Counties wherein they feverally refide, in the Book of Claims; and that they levy the Tobacco due to the above named *Brown*, *Hawkins*, and *Ragland*, and twenty Shillings, Part of the Money Charges, on *M<sup>r</sup> Johnson*, and the Refidue of the faid Tobacco and Money on *M<sup>r</sup> Thomas Walker*.

*Ordered*, That the further Confideration of the Book of Claims be put off till To-morrow.

*And then the Houfe adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 5th of April, 32 Geo. II. 1759.

**M**R *Bland* prefented to the Houfe, according to Order, a Bill For paying the Burgeffes Wages in Money, and the fame was read the firft Time, and ordered to be read a fecond Time.

*M<sup>r</sup> William Digges* reported, That the Committee appointed had, according to Order, examined the inrolled Bills, and rectified fuch Miftakes as were found therein; and that they were truly inrolled.

*Ordered*, That *M<sup>r</sup> Digges* do carry up the inrolled Bills to the Council for their Infpection.

A Bill For further continuing fo much of the A<sup>ct</sup> of Affembly, intituled, *An A<sup>ct</sup> for the Encouragement and Protection of the Settlers upon the Waters of the Miffiffippi, as relates to the raifing and impofing, collecting and paying the Duties therein mentioned, and for other Purpofes therein mentioned*, was read a fecond Time.

*Ordered*, That the faid Bill be engroffed, and read a third Time.

The Houfe, according to Order, refumed the adjourned Confideration of the Book of Claims, and the remaining Part thereof was read, and the Allowances of the feveral Officers being added, it was agreed to by the Houfe.

*Ordered*, That *M<sup>r</sup> Bland* do carry the Book to the Council for their Concurrence.

A Meffage from the Council by *M<sup>r</sup> Walthoe*,

*That they have infpected the inrolled Bills, and are fatisfied they are truly inrolled.*

A Meffage from the Governor by *M<sup>r</sup> Walthoe*,

*M<sup>r</sup> Speaker*,

*The Governor commands the immediate Attendance of this Houfe in the Council Chamber, and that you bring with you fuch Bills as are ready for his Affent.*

*M<sup>r</sup> Speaker*, with the Houfe, went up accordingly. and the Governor was pleafed to give his Affent to the following Bills, viz.

1. *An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned.*
2. *For reducing the several Acts made for laying a Duty upon Liquors, into one Act.*
3. *For further continuing an Act, intituled, An Act for laying an additional Duty on Rum and other distilled Spirits, not being of the Produce of his Majesty's Sugar Islands.*
4. *For continuing an Act, intituled, An Act for the better regulating and disciplining the Militia.*
5. *For further continuing an Act, intituled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections, into one Act.*
6. *For appointing an Agent.*
7. *To explain an Act, intituled, An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year.*
8. *For continuing the Act, intituled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.*
9. *To enable the Inhabitants of the County of Loudoun to pay their public Dues, and Officers Fees, in Money, and for other Purposes therein mentioned.*
10. *To dock the Intail of certain Lands where Tunstall Banks is seized, and for settling other Lands, and certain Slaves, therein mentioned, of greater Value, to the same Uses.*
11. *For vesting certain Lands, belonging to the Pamunkey Indians, in Trustees, to be leased out for their Benefit.*
12. *For vesting certain Lands, in the County of Hanover, in Philip Whitehead Claiborne, Gentleman, in Fee Simple, and for other Purposes therein mentioned.*

Mr Cary presented to the House, according to Order, a Bill For further continuing an Act, intituled, *An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned*, and the same was read the first Time, and ordered to be read a second Time.

Mr Charles Carter reported, That the Committee of Propositions and Grievances, to whom the Bill For encouraging Arts and Manufactures was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill intituled, *An Act for repealing the Act for altering the Place for holding Courts in the County of Spotylvania*, and the same being read, were agreed to.

*Ordered*, That Mr Lewis do go up with a Message to the Council, and inform them thereof.

Upon a Motion made,

*Ordered*, That an humble Address be made to the Governor, to desire his Honor will immediately give Orders for disbanding the several Companies of Rangers on the Frontiers of this Colony; and that Mr Harrison do wait on him with the said Address.

Upon a Motion made,

*Ordered*, That an humble Address be made to his Honor the Governor, to desire that he will be pleased to employ the 500 Men directed to be raised for protecting the Frontiers of this Colony in an Expedition against the *Shawnee Indians*, if he shall judge such an Expedition practicable and necessary; and that the Governor be desired to furnish such Volunteers as shall join the said 500 Men on the said Expedition with Ammunition and Provisions; and that Mr Pendleton do wait on him with the said Address.

*Ordered*, That Mr Lewis have Leave to be absent from the Service of this House for the Remainder of this Session.

Mr Charles Carter reported, That the Committee of Propositions and Grievances, to whom the Bill For enlarging the Towns of *Fredericksburg* and *Winchester*, was committed, had made several Amendments thereto, which he read in his Place, and then delivered



delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

<sup>81</sup> Mr *Carter* also, from the said Committee, presented to the House, according to Order, a Bill, For establishing several Towns therein mentioned, and the same was read the first Time, and ordered to be read a second Time.

A *Message* from the Council by Mr *Walthoe*,

*That they have agreed to the Bill, intituled, An Act for dividing the County of Prince William.*

*Also to the Book of public Claims.*

*Ordered*, That Mr *Bland* do wait on the Governor with the said Book, and desire his Assent thereto.

*Ordered*, That a Committee be appointed to proportion the public Levy, of the following Persons, viz. Mr *Bland*, Mr *Benjamin Waller*, Mr *Eyre*, Mr *Walker*, Mr *Carrington*, Mr *Ball*, Mr *Webb*, and Mr *William Waller*.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 6th of April. 32 Geo. 11. 1759.

A N engrossed *Bill*, intituled, *An Act for enlarging the Towns of Frederickburg and Winchester, the City of Williamsburg, and the Town of Dumfries*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Wythe* do carry up the said Bill to the Council for their Concurrence.

Mr *Harrison* informed the House, That he had, according to Order, waited on his Honor the Governor with the Address of this House, desiring that he would be pleased to give Orders for disbanding the Rangers on the Frontiers of this Colony, to which his Honor was pleased to answer he would comply with the Desire of the House in that Particular as soon as possible.

An engrossed *Bill*, intituled, *An Act for further continuing so much of the Act of Assembly, intituled, An Act for the encouragement and Protection of the Settlers upon the Waters of the Mississippi, as relates to the raising and imposing, collecting and paying the Duties therein mentioned, and for other Purposes therein mentioned*, was read the third Time, and a Blank therein filled up.

*Resolved*. That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, Bill Concerning Strays, and the same was read the first Time, and ordered to be read a second Time.

<sup>83</sup> Mr *Pendleton* informed the House, That he had, according to Order, waited on the Governor with the Address of this House, relative to an Expedition against the *Shawnee*; to which his Honor answered, That if he found it, on Enquiry, expedient to undertake an Expedition against the *Shawnee*, that the Men intended to be stationed on the Frontiers should be employed in that Manner.

A *Bill* To oblige the Justices of *Fairfax* to refund to the County a Quantity of Tobacco, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *George Johnston*, Mr *Bland*, and Mr *Pendleton*.

Mr *Bland* reported, That the Committee to whom the Bill For appointing several new Ferries was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*,

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

Mr *Charles Carter* reported, That the Committee of Propositions and Grievances, to whom the Bill For the better regulating *Eaton's* Charity School, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

A Bill For putting *Matchotique* and *Mattox* Warehouses, in the County of *Westmoreland*, under one Inspection, for erecting a Warehouse at *Stratford* Landing, in the said County, and other Purposes therein mentioned, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

Mr *Charles Carter* reported, That the Committee of Propositions and Grievances, to whom the Bill For dissolving several Vestries therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House, with an Amendment.

*Ordered*, That the Bill with the Amendments, as amended, be engrossed, and read a third Time.

A Bill For establishing several Towns therein mentioned, was read a second Time, and committed to the Committee of Propositions and Grievances.

Mr *Cary* presented to the House, according to Order, a Bill To prevent the Justices of *Dinwiddie* from obliging the Justices of *Chesterfield* to join with them in building a Bridge over *Appomattox* River, at a Place called *Browder's* Island; and the same was read the first Time, and ordered to be read a second Time.

An engrossed Bill, intituled, *An Act for encouraging Arts and Manufactures*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday. the 7th of April. 32 Geo. II. 1759.

UPON a Motion made,

*Ordered*, That an humble Address be made to his Honor the Governor, representing the great Scarcity of Corn and other Grain in this Colony, and the Distress the People, particularly in the Southern Parts, will be reduced to, in Case those who have made Grain should be allowed to export the same, and to desire that his Honor will be pleased to prohibit such Exportation; and that Mr *Read* do wait on him with the said Address.

An engrossed Bill, intituled, *An Act for appointing several new Ferries*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

Mr *Charles Carter* reported, That the Committee of Propositions and Grievances, to whom the Bill For establishing several Towns therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

Upon a Motion made,

*Ordered*,



*Ordered*, That Leave be given to bring in a Bill For giving a certain Sum of Money therein mentioned, to purchase Corn for the Relief of the poor Inhabitants of the South Western Parts of this Colony, in their present Distress; and it is referred to Mr Read to prepare and bring in the same.

An engrossed *Bill*, intituled, *An Act for the better regulating Eaton's Charity School* was read a third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Wythe do carry up the said Bill to the Council for their Concurrence.

The Order of the Day being read,

The House resolved itself into a Committee upon the Bill For putting *Matchotique* and *Mattox* Warehouses, in the County of *Westmoreland*, under one Inspection; for erecting a Warehouse at *Stratford* Landing, in the said County, and other Purposes therein mentioned; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their Consideration, but had made no Amendments thereto.

*Ordered*, That the said Bill be engrossed and read a third Time.

A Bill For further continuing an Act, intituled, *An Act for preventing Mutiny and Desertion and for other Purposes therein mentioned*, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill on Monday next.

<sup>84</sup> An engrossed *Bill*, intituled, *An Act for dissolving several Vestries, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

~ A Bill For altering the Court Days of the Counties of *Effex* and *Spotsylvania*, was read a second Time, and committed to Mr *Claiborne*, Mr *William Thornton*, and Mr *William Waller*.

A Bill For dissolving the Vestry of the Parish of *Suffolk*, in the County of *Nansemond*, and for other Purposes therein mentioned, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A Bill concerning Strays was read a second Time, and committed to Mr *Cary*, Mr *Johnson*, and Mr *Pendleton*.

A Bill To prohibit Masters and Owners of Slaves, to give general Licenses to trade for themselves, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A Bill To prevent the Justices of *Dinwiddie* from obliging the Justices of *Chesterfield* to join with them in building a Bridge over *Appamattox* River, at a Place called *Browder's Island*, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A Bill To amend an Act, intituled, *An Act for regulating Ordinaries and Restraint of tipling Houses*, was read a second Time; and the Question being put that the said Bill be engrossed, and read a third Time,

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

And then the House adjourned till Monday Morning Eleven o'Clock.

## Monday. the 9th of April. 32 Geo. II. 1759.

A N engrossed *Bill*, intituled, *An Act for dissolving the Vestry of the Parish of Suffolk, in the County of Nansemond, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*,

Ordered, That Mr *Willis Riddick* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act to prohibit Masters and Owners of Slaves to give general Licenses to trade for themselves*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for establishing several Towns therein mentioned*, was read the third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence. 85

An engrossed *Bill*, intituled, *An Act to prevent the Justices of Dinwiddie from obliging the Justices of Chesterfield to join with them in building a Bridge over Appamattox River, at a Place called Browder's Island*, was read the third Time.

Resolved, That the Bill do pass.

Ordered, That Mr *Cary* do carry up the said Bill to the Council for their Concurrence.

A *Bill* For reducing the several Acts for licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs, into one Act, was read a second Time.

Ordered, That the said Bill be engrossed, and read a third Time.

A *Bill* To enable the Executors of the Will of *John Spotswood*, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Pendleton*, Mr *Wythe*, Mr *Attorney*, Mr *Nicholas*, and the Members for *Spotsylvania*, *Orange*, and *Culpeper*.

Mr *Claiborne* reported, That the Committee to whom the Bill For altering the Court Days of the Counties of *Effex* and *Spotsylvania*, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

Ordered, That the Bill, with the Amendments, be engrossed, and read a third Time.

An engrossed *Bill*, intituled, *An Act for putting Matchotique and Mattox Warehouses, in the County of Westmoreland, under one Inspection; For erecting a Warehouse at Stratford Landing, in the said County, and other Purposes therein mentioned*, was read the third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Richard Henry Lee* do carry up the said Bill to the Council for their Concurrence.

Mr *George Johnston* reported, That the Committee to whom the Bill To oblige the Justices of *Fairfax* to refund to the County a Quantity of Tobacco, and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House, with some Amendments.

Ordered, That the Bill, with the Amendments, as amended, be engrossed, and read a third Time

The House proceeded to the Consideration of the Report from the Committee of public Claims, made on *Friday* the thirtieth of *March* last, and ordered to lie on the Table; and the same being again read, was agreed to by the House, and is as follows:

Resolved, That the several Accounts contained in the annexed Schedule ought to be paid by the Public to the Persons to whom they are due, respectively. 85

The Schedule in the said Resolution mentioned being also read, was agreed to by the House.

Ordered, That Mr *Waller* do carry up the said Schedule to the Council, and desire their Concurrence thereto.



M<sup>r</sup> Waller reported, That the Committee appointed had, according to Order; settled the Proportion of the Country Levy, and stated the same in a Book, which he delivered in at the Table, where it was read and agreed to by the House.

*Ordered*, That M<sup>r</sup> Waller do carry up the said Book to the Council for their Concurrence.

The Order of the Day being read, for the House to resolve itself into a Committee upon the Bill For further continuing an Act, intituled, *An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned.*

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 10th of April. 32 Geo. II. 1759.

M<sup>r</sup> Read reported, That he had, according to Order, waited on his Honor the Governor with the Address of this House, desiring he would be pleased to prohibit the Exportation of Grain in these Times of Scarcity, to which his Honor was pleased to answer, That as it was a Matter of great Importance to this Colony, he would consult the Council on that Subject.

M<sup>r</sup> Read presented to the House, according to Order, a Bill For giving a certain Sum of Money therein mentioned to purchase Corn for the Relief of the South Western Parts of this Colony, in their present Distress, and the same was read the first Time, and ordered to be read a second Time.

M<sup>r</sup> Cary reported, That the Committee to whom the Bill concerning Strays was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time.

An engrossed Bill, intituled, *An Act to empower the Treasurer of this Colony to refund to the Justices of Fairfax a Sum of Money, and for other Purposes therein mentioned*, was read a third Time, and a Blank therein filled up, and the Question being put that the said Bill do pass,

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

A Message from the Governor by M<sup>r</sup> Walthoe.

M<sup>r</sup> Speaker,

*The Governor has commanded me to lay before this House several Letters he has just received from the Right Honorable M<sup>r</sup> Secretary Pitt, M<sup>r</sup> Pownall, Clerk of the Privy Council, Major-General Amherst, Brigadier-General Stanwix, and Col. Byrd; also a Copy of the Proceedings of the Council at Whitehall, in Relation to the Memorial of the Merchants in London and Bristol trading to Virginia, to that Board.* And the said Letters and Copy were read, and ordered to be referred to the Consideration of a Committee of the whole House, immediately.

The House accordingly resolved itself into the said Committee; and after some Time spent therein, M<sup>r</sup> Speaker resumed the Chair and M<sup>r</sup> Charles Carter reported, That the Committee had had the said Letters and Copy of the Proceedings of the Council at Whitehall under their Consideration, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follows:

*Resolved*, That 200 of the 500 Men to be raised for the Protection of our Frontiers shall be employed as Artificers, and joined to the Regiment now in the Pay of this Colony.

*Resolved*,

*Resolved*, That an additional Bounty of Five Pounds be paid to the Persons who shall enlist into the said Companies.

*Ordered*, That a Bill or Bills be brought in pursuant to the said Resolutions, and it is referred to M<sup>r</sup> Charles Carter, M<sup>r</sup> George Mason, M<sup>r</sup> George Johnston, M<sup>r</sup> Attorney, and M<sup>r</sup> Benjamin Waller, to prepare and bring in the same.

A Message from the Council by M<sup>r</sup> Walthoe.

*That they have agreed to the Treasurer's Accounts.*

*Also to the Book of Proportions.*

*Also to the Schedule annexed to the Report from the Committee of public Claims.*

*Also to the Bill, intituled, An Act for further continuing so much of the Act of Assembly, intituled, An Act for the Encouragement and Protection of the Settlers upon the Waters of the Mississippi, as relates to the raising and imposing, collecting and paying the Duties therein mentioned, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act for encouraging Arts and Manufactures.*

*Also to the Bill, intituled, An Act for establishing several Towns therein mentioned.*

*Also to the Bill, intituled, An Act for enlarging the Towns of Fredericksburg and Winchester, the City of Williamsburg, and Town of Dumfries.*

*Also to the Bill, intituled, An Act for the better regulating Eaton's Charity School.*

*Also to the Bill, intituled, An Act to oblige the Owners of Mills on the River Rapidan to make Openings or Slopes in their Mill Dams for the Passage of Fish.*

*Also to the Bill, intituled, An Act for dissolving the Vestry of the Parish of Suffolk in the County of Nansemond, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act to prevent the Justices of Dinwiddie from obliging the Justices of Chesterfield to join with them in building a Bridge over Appamattox River, at a Place called Browder's Island, without any Amendments.* 88

*And that they have agreed to the Bill, intituled, An Act for dissolving several Vestries, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act for appointing several new Ferries.*

*Also to the Bill, intituled, An Act for putting Matchotique and Mattox Warehouses, in the County of Westmoreland, under one Inspection; for erecting a Warehouse at Stratford Landing, in the said County, and other Purposes therein mentioned, with some Amendments, to which they desire Concurrence of this House.*

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill For raising a public Levy, and it is referred to M<sup>r</sup> Bland to prepare and bring in the same.

The House proceeded to the Consideration of the Amendments proposed by the Council to the Bill, intituled, *An Act for putting Matchotique and Mattox Warehouses, in the County of Westmoreland, under one Inspection; for erecting a Warehouse at Stratford Landing, in the said County, and other Purposes therein mentioned*; and the same being read, were agreed to.

*Ordered*, That M<sup>r</sup> Richard Henry Lee do go up with a Message to the Council, and inform them thereof.

The House also proceeded to the Consideration of the Amendments proposed by the Council to the Bill, intituled, *An Act for dissolving several Vestries, and for other Purposes therein mentioned*; and the same being read, were agreed to by the house, with an Amendment.

*Ordered*, That M<sup>r</sup> Pendleton do go up with a Message to the Council, and inform them thereof, and desire they will pass the said Bill with their Amendments, as amended by the House.

The House also took into Consideration the Amendment proposed by the Council to the Bill, intituled, *An Act for appointing several new Ferries*, and the same being read, was disagreed to.

*Ordered*,



*Ordered*, That Mr *Charles Carter* do go up with a Message to the Council, and acquaint them that this House cannot agree to the Amendment by them proposed to the said Bill, and desire that they will pass the Bill without the said Amendment.

The Order of the Day being read, for the House to resolve itself into a Committee upon the Bill For further continuing an Act, intituled, *An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned.*

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

An engrossed Bill, intituled, *An Act for reducing the several Acts for licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

80 Mr *Bland* presented to the House, according to Order, a Bill For raising a public Levy, and the same was read the first Time, and ordered to be read a second Time.

Mr *Charles Carter* from the Committee appointed, presented to the House, according to Order, a Bill To amend the Act, intituled, *An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned*, and the same was read the first Time, and ordered to be read a second Time.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday. the 11th of April. 32 Geo. II. 1759.

A Message from the Council by Mr *Walthoe*.

*That they recede from the Amendments by them proposed, and disagreed to by this House, to the Bill, intituled, An Act for appointing several new Ferries, and have passed the Bill without the said Amendments.*

*And that they have agreed to the Amendments proposed by this House to the Amendments by them made to the Bill, intituled, An Act for dissolving several Vestries, and for other Purposes therein mentioned.*

*And that they have agreed to the Bill, intituled, An Act for reducing the several Acts for licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs, into one Act, without any Amendments.*

Mr *Pendleton* reported, That the Committee to whom the Bill To enable the Executors of the Will of *John Spotswood Esq;* deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill, with the Amendments, in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be engrossed and read a third Time.

An engrossed Bill, intituled, *An Act concerning Strays*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

An engrossed Bill, intituled, *An Act for altering several Court Days therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

A *Bill* To amend the Act, intituled, *An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned*, was read a second Time, and ordered to be committed to a Committee of the whole House, immediately.

The House accordingly resolved itself into a Committee upon the said Bill, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, 90 That the Committee had had the said Bill under their Consideration, but had made no Amendments thereto.

*Ordered*, That the Bill be engrossed, and read a third Time.

The Order of the Day being read;

The House resolved itself into a Committee upon the Bill For further continuing an Act, intituled, *An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned*; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their Consideration, but had made no Amendments thereto.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A *Bill* For raising a public Levy, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A *Bill* For giving a certain Sum of Money, therein mentioned, to purchase Corn for the Relief of the South Western Parts of this Colony, in their present Distress, was read a second Time.

*Ordered*, That the said Bill be engrossed, and read a third Time.

A *Bill* For paying the Burgeesses Wages in Money, was read a second Time, and an Amendment made thereto.

*Ordered*, That the said Bill, as amended, be engrossed, and read a third Time.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Thursday, the 12th of April, 32 Geo. II. 1759.

A N engrossed *Bill*, intituled, *An Act to enable the Executors of the Will of John Spotswood, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General Alexander Spotswood, and for other Purposes therein mentioned*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Pendleton* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for giving a certain Sum of Money, therein mentioned, to purchase Corn for the Relief of the South Western Parts of this Colony, in their present Distress*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Read* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act to amend the Act, intituled, An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for raising a public Levy*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Bland* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for paying the Burgeesses Wages in Money*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*,



*Ordered*, That Mr *Bland* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for further continuing an Act, intituled, An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Cary* do carry up the said Bill to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That this House will not undertake to pay a Brigade-Major for the *Virginia* Troops, nor be answerable for any Expences attending the said Troops except those authorized by Law, or particularly directed by the Governor of this Colony.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 13th of April. 32 Geo. II. 1759.

UPON a *Motion* made,

*Resolved*, That the Committee of Correspondence, appointed by an Act passed this Session of Assembly, *For appointing an Agent*, do, as soon as conveniently may be, transmit to the Agent in the said Act named, a Copy of the Representation to his Majesty agreed to in the Session held in *April*, 1758, and ordered to be sent to the Right Honorable *William Pitt*, Esq; And the said Committee are further directed to transmit all such Matters and Things to the said Agent as may affect or be for the Interest of this Colony, and send him such Instructions and Directions therein as to them shall seem proper.

*Ordered*, That the said Resolve be fairly transcribed; and that Mr *Gaines* do carry it up to the Council for their Concurrence.

*And then the House adjourned till Tomorrow Morning Ten o'Clock.*

## Saturday, the 14th of April. 32 Geo. II. 1759.

A *Message* from the Council by by Mr *Walthoe*.

*That they have agreed to the Bill, intituled, An Act to amend the Act, intituled, An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act for further continuing an Act, intituled, An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned.*

*Also to the Bill, intituled, An Act for giving a certain Sum of Money, therein mentioned, to purchase Corn for the Relief of the South Western Parts of this Colony, in their present Distress.*

*Also to the Bill, intituled, An Act for raising a public Levy.*

*Also to the Bill, intituled, An Act for altering several Court Days, therein mentioned.*

*Also to the Bill, intituled, An Act for paying the Burgeffes Wages in Money.*

*Also to the Bill, intituled, An Act to enable the Executors of the Will of John Spotswood, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General Alexander Spotswood, and for other Purposes therein mentioned.*

*Also to the Resolve of this House, For giving instructions to the Committee of Correspondence appointed by an Act passed this Session of Assembly, intituled, An Act for appointing an Agent.*

Mr *William Digges* reported, That the Committee appointed had, according to Order, examined the rest of the enrolled Bills, and rectified such Mistakes as were found therein; and that they are truly enrolled.

*Ordered*,

*Ordered, That Mr Digges do carry up the enrolled Bills to the Council for their Inspection.*

*A Message from the Council by Mr Walthoe.*

*That they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

*A Message from the Governor by Mr Walthoe.*

*Mr Speaker,*

*The Governor commands the immediate attendance of this House in the Council Chamber, and that you bring with you such other Bills and Resolves as are ready for his Assent.*

*Mr Speaker, with the House, went up accordingly; and the Governor was pleased to give his Assent to the following Bills, \* viz.*

*13. An Act to amend the Act, intituled, An Act for granting an Aid to his Majesty, for the better Protection and Defence of this Colony, and for other Purposes therein mentioned.*

*14. For further continuing an Act, intituled, An Act for preventing Mutiny and Desertion, and for other Purposes therein mentioned.*

*15. For further continuing the Act, intituled, An Act for reviving the Duty upon Slaves to be paid by the Buyers, for the Term therein mentioned.*

*16. For further continuing so much of the Act of Assembly, intituled, An Act for the Encouragement and Protection of the Settlers upon the Waters of the Mississippi, as relates to the raising and imposing, collecting and paying the Duties therein mentioned, and for other Purposes therein mentioned.*

*17. For reducing the several Acts for licencing Pedlars, and preventing Frauds in the Duties upon Skins and Furs, into one Act.*

*18. For encouraging Arts and Manufactures.*

*19. For appointing several new Ferries.*

*20. For dissolving several Vestries, and for other Purposes therein mentioned.*

*21. For dissolving the Vestry of the Parish of Suffolk, in the County of Nansemond, and for other Purposes therein mentioned.*

*22. For establishing several Towns therein mentioned.*

*23. To prevent the Justices of Dinwiddie from obliging the Justices of Chesterfield to join with them in building a Bridge, over Appamattox River, at a Place called Browder's Island.*

*24. For putting Matchotique and Mattox Warehouses, in the County of Westmoreland, under one Inspection; for erecting a Warehouse at Stratford Landing, in the said County, and for other Purposes therein mentioned.*

*25. For altering several Court Days therein mentioned.*

*26. For dividing the County of Prince William.*

*27. To give a certain Sum of Money, therein mentioned, to purchase Corn for the Relief of the South Western Parts of this Colony, in their present Distress.*

*28. For enlarging the Towns of Fredericksburg and Winchester, the City of Williamsburg, and Town of Dumfries.*

*29. For raising a public Levy.*

*30. For the better regulating Eaton's Charity School.*

*31. For repealing the Acts for ascertaining the Place where the Court of York County shall be kept, and for altering the Place for holding Courts in the County of Spotsylvania.*

*32. To oblige the Owners of Mills, on the River Rappidan, to make Openings or Slopes in their Mill Dams, for the Passage of Fish.*

*33. For paying the Burgeffes Wages in Money.*

*34. To enable the Executors of the Will of John Spotswood, Esq; to pay the Debts and Legacies due from the Estate of Major-General Alexander Spotswood, and for other Purposes therein mentioned.*

His

\*Hening VII, 251 ff.



His Honor likewise gave his Assent to the following Resolves of the House of Burgeses, which the Council had agreed to, viz.

1. For giving Instructions to the Committee of Correspondence, appointed by the A<sup>c</sup> passed this Session of Assembly, intituled, An A<sup>c</sup> for appointing an Agent.
2. For allowing William Hunter, Printer, a Salary of £300 per Annum, for the Services therein mentioned.

And then his Honor was pleased to make the following Speech.

Gentlemen of the Council, M<sup>r</sup> Speaker, and Gentlemen of the House of Burgeses,

I cannot dismiss you, without expressing the great Satisfaction I have received from the Bill I have this Day passed, to enable me to send two Companies of Artificers to join the Regiment which is to act, in Conjunction with his Majesty's Forces, in offensive Operations against the Enemy; by which Means the Fort at Pittsburg may be put in a very respectable Condition, either to curb the Indians, or put a Stop to any further Encroachments of the French. I did not doubt but that Reason, and a just Sense of your true Interest, would in the End prevail and overpower all your Fears of Distress and Poverty. I am particularly to thank you, Gentlemen of the House of Burgeses, for the Money you have raised for these Purposes; and it shall be my Endeavour, by a careful Application of it, and a steady Observation of what you have recommended to me, to give you such Conviction of the Sincerity of my Intentions, as will secure to me your future Confidence.

Gentlemen of the Council and of the House of Burgeses,

I sincerely wish this Colony may reap all the Advantage and Benefit expected from an Agent, long wished for, and now appointed by the A<sup>c</sup> for that Purpose.

The A<sup>c</sup> For the Encouragement of Arts and Manufactures gives me an Opportunity to recommend to you all, in your respective Retirements, to encourage and propagate Industry in all its Branches; the true, I had almost said the only, Source of Riches, Greatness, and Happiness; That you may immediately set about this useful Work, I think it expedient to prorogue you, and you are accordingly prorogued, to the first Thursday in August next.





JOURNAL  
of the  
HOUSE OF BURGESSES

1759

November Session

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# JOURNAL

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## HOUSE OF BURGESSES

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1 Thursday, the 1st of November, 33 Geo. II. 1759.

A Message from the Governor was delivered by Mr Walthoe.  
Mr Speaker, and Gentlemen of the House of Burgesfes,  
The Governor commands the immediate Attendance of your House in the Council Chamber.

Accordingly Mr Speaker, with the House, went up to attend the Governor.

And being returned, reported, That he, with the House, had attended the Governor in the Council Chamber; and that the Governor was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read to the House, and afterwards delivered in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgesfes,

Some Letters which I lately received from Governor Lyttleton and Governor Dobbs to inform me of Commotions among the Cherokees, and to desire the Assistance of this Colony to suppress them, have obliged me to call you together sooner than I proposed; that, without Delay, I might lay them before you for your Deliberation, and communicate your Resolutions, on this important Affair, to their Excellencies. It is needless to represent to you the Dangers to which our Frontiers are exposed by these Indians: But by some subsequent Advices, I am not without Hopes that this gathering Storm may still be dispersed, and prevented from falling on our Heads.

2 The Men now in the pay of this Colony stand provided for but till the first of December next. Notwithstanding the great Success with which it has pleased the Almighty to bless his Majesty's Arms during this whole Campaign, (on the rapid and uninterrupted Course of which I most heartily and sincerely congratulate you) I recommend it to your Consideration, whether it would not be imprudent to lessen their Numbers in our present Situation: Though the French are driven from our Frontiers, we are not yet in that State of Tranquillity and Security which we could wish. I am averse to encrease, or even continue, any Expence to this Colony, that is not absolutely necessary. I am sensible of the great Burthen it has already born; but when I tell you, that those very Generals, to whose Conduct, Courage and Care, we owe our present Safety, and the Advantages this Colony is already reaping by the Roads now opening by their Direction, do earnestly desire that our Troops should be continued in Pay; can you doubt of the Utility of the Measure? When I tell you, that the British Nation is actually at this Moment expending a very large Sum to erect a strong Fort at Pittsburg, to defend this and the adjacent Colonies from any future Insult; can you hesitate whether you shall furnish your present Quota towards expediting the great Works now carrying

carrying on there? Let me add, as an additional Motive, that the great Expence is already paid; the Men are raised and cloathed, their Subsistence for some Months is the only present Matter of Contemplation.

There is one other Article of Expence I cannot help recommending to you, which is, the finishing and completing Fort Loudoun. The Sums already spent in erecting that Fortrefs will be entirely thrown away, as the Fort must fall to Ruins, if the Works are not preserved from the Damages of the Seasons, by being properly finished. If you consider the Importance of this Post, either as a Magazine, or as a Depository of Indian Goods, or as a Protection from those People, if they should again dare to molest us: If you could see the Forwardness it is in, and the little there is wanting to complete it, I am confident you would unanimously concur with me in the Usefulness of what I recommend to you.

Gentlemen of the House of Burgeses,

That you might be the better enabled to provide for all necessary Services, without oppressing the Inhabitants, I have made it the great Object of all my Actions, during the Recess of the Assembly, to be as saving as possible of all publick Money; to this Purpose I have endeavored to protect our back Settlements with the 300 Men in the Pay of the Colony, without having Recourse to the expensive and detrimental Method of calling the Militia from their Families and their Occupations, to protect their Neighbors; so that the Claims on that Head, which you may remember have been very numerous, you will find entirely reduced: And I have had the great Satisfaction to find the Inhabitants have suffered less Damage by the Incurfions of Indians than in former Years; a necessary Consequence of the French being removed from our and their Neighborhood. If by any Means whatever it should be in my Power to alleviate or lessen your Expences, you may entirely depend on my employing all such Means to the Relief and Ease of the Colony.

Gentlemen of the Council, and of the House of Burgeses,

It is necessary for me to acquaint you, that I have received an Instruction from his Majesty, to recommend to you the providing for the Security of the Merchants of Great Britain, in the Recovery of Sterling Debts due to them from this Colony, from any Losses they may sustain from our unavoidable Emissions of Paper Money. This is a fresh Mark of his Majesty's universal paternal Care over all his Subjects; and as I am fully persuaded it is your Intentions that no Man should suffer by any Act of yours, I recommend it to you to reconsider this Affair, and if their Property is not already fully secured, to provide for the Security thereof in the fullest and amplest Manner. I have also received his Majesty's Disapprobation and Repeal of an Act passed in the Year 1752, intituled, An Act to erect a Light House on Cape Henry.

Having communicated every Thing to you which deserves your present Consideration, I have only to desire, in the Dispatch of these weighty Affairs, a Continuance of that Zeal for the publick Good; that Integrity of Heart in the Pursuit of it; that Loyalty to his Majesty; and that Affection to me, which I have always experienced during my Residence with you.

Mr Speaker also reported, That the Governor had delivered to him, and desired him to lay before the House, fundry Letters lately come to Hand, from Major General Amherst, Brigadier General Stanwix, his Excellency Governor Lyttleton, of South Carolina, and his Excellency Governor Dobbs, of North Carolina, which he accordingly delivered in at the Table.

Ordered, That the said Letters do lie on the Table.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Resolved, That an Address be presented to his Honor the Governor, to return him the sincere Thanks of this House for his very affectionate Speech, at the Opening of this Session: To assure him that we heartily join with his Honor in Congratulations on the

Succes



Success with which his Majesty's Endeavors have been attended in the Prosecution of the present War: That we shall, with all possible Diligence, take under our Consideration the several weighty Affairs that he has been pleased to recommend to us; and to express the grateful Sense that we have of the Care and Tranquility with which he has conducted himself in the Protection of our Frontiers, and of the Happiness that we enjoy under his Administration.

*Ordered*, That a Committee be appointed to draw up an Address to the Governor, pursuant to the said Resolution; and it is referred to Mr *Landon Carter* and Mr *Attorney* to prepare and bring in the same.

*Resolved*, That this House will take the Governor's Speech into Consideration To-morrow.

*Ordered*, That an Address be made to the Governor, to order a new Writ to issue for the electing a Burgess to serve in this present General Assembly for *James Town*, in the Room of Mr *Travis*, who, since his Election, hath accepted of the Office of Coroner of *James City County*; and that Mr *Wythe* do wait on his Honor with the said Address.

*Ordered*, That an Address be made to the Governor, to order a new Writ to issue for the electing a Burgess to serve in this present General Assembly for the County of *Goochland*, in the Room of Mr *Reuben Skelton*, deceased; and that Mr *Cary* do wait on his Honor with the said Address.

<sup>3</sup> *Ordered*, That the Rev. Mr *William Yates* be continued Chaplain to this House, and that he attend to read Prayers every Morning at ten o'Clock.

*Ordered*, That *Thomas Broadrib*, *James Lavie*, and *James Yates*, be continued in their respective Offices of Door-Keepers to this House; and that they give their Attendance accordingly.

A *Petition* of *Thomas Francis*, praying that he may be appointed a Door-Keeper to this House, in the Room of *William Francis*, deceased, was presented to the House and read; and thereupon,-

*Resolved*, That the said *Thomas Francis* be appointed a Door-Keeper to this House, and that he attend accordingly.

*And then the House adjourned till To-morrow Morning, Eleven o'Clock.*

## Friday, the 2nd of November, 33 Geo. II. 1759.

**O**RDERED, That an Address be made to the Governor, to order a new Writ to issue for the electing a Burgess to serve in this present General Assembly for the County of *Norfolk*, in the Room of Mr *Veal*, who, since his Election, hath accepted of the Office of Sheriff of the said County; and that Mr *Tatem* do wait on his Honor with the said Address.

Mr *Landon Carter* reported, That the Committee appointed had, according to Order, prepared an Address to the Governor, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to, and is as follows:

*Sir,*

*We, the Burgesses of Virginia, with great Sincerity return your Honor Thanks for your very affectionate Speech, at the Opening of this Session.*

*The Success with which it has pleased God to bless his Majesty's Arms, as it must tend to effect those glorious Purposes of Peace and Tranquility, the ultimate End of all our Wishes, naturally raises in our Thoughts every Idea of Congratulation; and we most heartily beg Leave to join with your Honor, on the Occasion.*

*As a permanent Testimony of the just Sense we entertain of his Majesty's constant and Paternal Regard for his faithful People of this Colony, indulge us, good Sir, most dutifully to acknowledge it, in the gracious Instance that he gave in the Appointment of your Honor to preside over us; since Experience has now strongly impressed, on all our Minds, those Sensations of Happiness which at first were presaged in your great Affability of Temper. The*  
*Frugality*



*Frugality with which you have conducted yourself in the Protection of our Frontiers, is a farther Proof of your Prudence and Benevolence to this Colony; and calls upon us for its just Acknowledgments, in this Time of prodigious Expence: Permit us therefore to assure you, that no Endeavour shall be wanting, on our Part, to convince your Honor, and every impartial Judge, of our Zeal and unalienable Integrity for the Publick, Loyalty to his Majesty, and Affection to you, in the Consideration of those weighty Affairs which your Honor has been pleased to recommend to us.*

*Ordered*, That the said Address be fairly transcribed, and presented by the whole House.

*Ordered*, That the Committee who prepared the same wait on the Governor to know his Pleasure when this House shall attend his Honor to present it.

The Order of the Day being read, for the House to take into their Consideration the Governor's Speech.

*Ordered*, That the Consideration of the said Speech be put off till Monday next.

Upon a Motion made,

*Ordered*, That it be an Instruction to the Treasurer of this Colony to execute a Release to John Frog, Sheriff of Prince William County, from the Penalty of a Bond by him given for the Collection of the Taxes in that County, and from a Judgment obtained by the said Treasurer, in the General Court, against the said John Frog on the said Bond; it appearing that he has paid into the Treasury the whole Money wherewith he was chargeable for Taxes arising in the said County.

A Petition of John Mercer, Gentleman, was presented to the House and read; setting forth, That he hath (with great Labor and Expence) compiled and printed a complete and correct Abridgment of all the publick Acts of Assembly of this Colony in Force and Use at this Time, which, by Reason of his Majesty's not having signified his Approbation of the Land Law, and his repealing divers Acts printed in the Revision, and the many Acts passed since, lie interspersed in so many different Books; that it is a very difficult Matter to distinguish which of the said Acts are in Force and which are not; besides their being so scarce and difficult to procure, that very few, if any, of the County Courts are furnished with a complete Collection of the said Acts of Assembly at large. That as the Legislature of this Colony has thought it reasonable, from Time to Time, to supply the Magistrates of the several Counties (who serve without Fee or Reward) with the printed Acts of Assembly at the publick Expence, the Petitioner hopes this honorable House, to whom he submits the Usefulness of his Performance, will so far encourage it as to take off his Hands a sufficient Number of the said Abridgments to supply the said Magistrates, as he has not only printed it for that Purpose, but adapted it particularly to their Use, by abridging every Clause of the said Acts under its proper Title, with necessary Tables; and the general Complaint through the Colony of the Want of such a Collection was his principal Inducement to undertake a Work of so much Labor and Expence in a Multiplicity of other Business. That in Order to render that said Work as useful and beneficial as may be, the Petitioner will undertake, as long as he lives, to publish at the End of every Session (at the most reasonable Expence that may be) an Abridgment of the publick Acts of such Session, with proper Notes and Directions what Alterations are made by such new Acts in the former ones.

*Ordered*, That the said Petition be referred to Mr Landon Carter, Mr George Johnston, Mr Attorney, Mr Harrison, and Mr Cary; that they do examine into the Matter thereof, and report the same, with their Opinion thereupon, to the House.

A Claim of Henry Settle, for taking up a Deforter therein mentioned, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

**Saturday.**

## Saturday. the 3rd of November. 33 Geo. II. 1759.

**M**<sup>R</sup> Landon Carter reported, That the Committee appointed had, according to Order, waited on the Governor to know his Pleasure when this House should attend him with their Address, and that he was pleased to appoint Monday next, and to say he would signify by a Message to the House when he was ready to receive it.

A Claim of Hillary Boushop, for taking up a Runaway therein mentioned, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till Monday Morning, Eleven o'Clock.*

## Monday. the 5th of November. 33 Geo. II. 1759.

**A** Message from the Governor was delivered by Mr Walthoe,  
Mr Speaker,

*The Governor is now ready to receive the Address of your House in the Council Chamber.*

Mr Speaker, with the House, went up, and being returned, reported, That he, with the House, had attended the Governor in the Council Chamber, and presented the Address of this House to him, to which his honor was pleased to return the following Answer:

*Mr Speaker, and Gentlemen of the House of Burgesse,*

*It is with the greatest Sincerity that I return you my most hearty Thanks for this fresh Instance of your Affection to me, and for the kind Construction you put on all my Actions.*

*The Pleasure I receive from your Approbation of my Conduct is so great and interesting, that I should be wanting to myself if I were not to endeavour to merit the same, in all my future Transactions, and thereby establish the good Opinion you at present entertain of me.*

The Order of the Day being read, for the House to take into Consideration the Governor's Speech.

*Resolved*, That this House will resolve itself into a Committee upon the said Speech.

*Ordered*, That the several Letters, laid before this House by the Governor's Direction, on Thursday last, be referred to the Consideration of the said Committee.

Then the House resolved itself into a Committee upon the said Speech and Letters, and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Attorney reported, That the Committee had had the said Speech and Letters under their Consideration, but not having Time to go through the same, had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech and Letters To-morrow.

Mr Landon Carter reported, That the Committee to whom the Petition of John Mercer was referred, having considered the same, and having also before them the concurring Testimony of the Gentlemen practising at the General Court Bar, as to the Usefulness of the Abridgment mentioned in the said Petition, had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Report be referred to Wednesday next.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill, To impower the Vestry of the Parish of Dale, in the County of Chesterfield, to sell the Glebe Land of the said Parish; and it is referred to Mr Cary and Mr Eppes to prepare and bring in the same.

*Ordered,*



*Ordered*, That an Address be made to the Governor, to order a new Writ to issue for electing a Burgesses to serve in this present General Assembly for the County of *Culpeper*, in the Room of Mr *Slaughter*, who (since his Election) hath accepted of the Office of Sheriff of the said County; and that Mr *Pendleton* do wait on his Honor with the said Address.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 6th of November. 33 Geo. II. 1759.

A Member returned upon a new Writ, having taken the Oaths appointed by Act of Parliament to be taken; instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

A *Petition* of *Lewis Burwell*, Gentleman, and *Frances* his Wife, setting forth, That they are seized in Right of the said *Frances* of and in 522 Acres of Land, in the County of *Middlesex*, which descended to the said *Frances* as one of the Daughters of *Edwin Thacker*, late of the said County of *Middlesex*, deceased. That the Petitioner *Lewis* is seized in Fee Simple of and in a Tract of Land containing about 800 Acres, in the County of *Isle of Wight*. That it would be greatly to the Advantages of the Petitioners and their Posterity to dock the Intail of the said Lands in *Middlesex*, and to settle Part of the said Lands in *Isle of Wight* to the same Uses; and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Wythe* to prepare and bring in the same.

Mr *Cary*, from the Committee appointed, presented to the House, according to Order, a Bill To empower the Vestry of the Parish of *Dale*, in the County of *Chesterfield*, to sell the Glebe Land of the said Parish, and the same was read the first Time, and ordered to be read a second Time.

The Order of the Day being read, for the House to resolve itself into a Committee upon the Governor's Speech.

*Resolved*, That this House will resolve itself into the said Committee To-morrow.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday. the 7th of November. 33 Geo. II. 1759.

SEVERAL Claims of *James Jones*, *Thomas Peobles*, *John Tyas*, *Philip Mallory*, *John Wootten*, *James Finney*, and *Samuel Ashley*, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of the Assembly.

*Ordered*, That an Address be made to the Governor, to order a new Writ to issue for electing a Burgesses to serve in this present General Assembly, for the County of *Brunswick*, in the Room of Mr *Goodrich*, who, since his Election, hath accepted of the Office of Sheriff of the said County; and that Mr *Bland* do wait on his Honor with the said Address.

A *Petition* of *Peter Menzie*; setting forth, That he hath served as a Soldier in the *Virginia* Regiment upwards of four Years: That in *September*, 1758, he received a Wound in his Arm, in an Engagement with the Enemy on the *Ohio*, under the Conduct of Major *Grant*, which has rendered him incapable of procuring his Subsistence, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Bland*, Mr *Wilson*, and Mr *Adams*; that they examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

The House proceeded to the Consideration of the Report from the Committee to whom the Petition of *John Mercer* was referred, made on *Monday* last, and referred to be considered



considered this Day; and the several Resolutions of the said Committee were again twice read, and with some Amendments, agreed to by the House, as follow:

*Resolved*, That the several County Courts in this Colony be provided with one of the said Abridgments for each of the acting Justices at the publick Expence; and that it be an Instruction to the Treasurer of this Colony to pay the said *John Mercer* for the said Books, at the Rate of twenty Shillings for each Book, upon his producing to the said Treasurer a Receipt for the same from the Clerks of the respective County Courts.

*Resolved*, That the Clerks of the said County Courts deliver one of the said Books to each of the acting Justices of their respective Counties.

*Ordered*, That the said Resolutions be engrossed, and that Mr *Landon Carter* do carry them to the Council for their Concurrence.

A *Petition* of *Alexander Finnie* was presented to the House and read, setting forth, That when he arrived at *Fort Cumberland*, on the twentieth of *July*, he found that the *Virginia* Regiment had marched for *Pittsburg* by the *Pennsylvania* Road, and that there had been no Attempt made to clear the Road opened by General *Braddock*: That the Petitioner went immediately to *Rays Town*, and from thence to *Fort Lyttleton*, where he met with General *Stanwix*, and having convinced him of the great Advantages that would arise to the Publick by opening the said Road, as by that Means the Forces and Garisons over the *Alligheny* Mountains would, with the greatest Ease, be plentifully supplied with Provisions and Necessaries, which by Experience he had found could not be done from *Pennsylvania*, on Account of the great Distance and bad Roads that the *Pennsylvanians* have to encounter with; he gave the Petitioner Leave to undertake this Work, and gave him an Order to the Quarter-Master General for Tools, Ammunition and Provision, and ordered a Number of Men to cover the working Party: That the Petitioner hired, at his own Expence, thirty Workmen on the *South Branch*, at the Prices mentioned in a Schedule to his Petition annexed, and was at other Expences as appears by the same Schedule. That he began the said Work the fourth Day of *August*, and finished on the twentieth, when he arrived at *Pittsburg* with 60 Provision Waggon, 500 Sheep, and 70 Head of Cattle, and at that Time the Garison had not eight Days Provision. That there have been great Quantities of Provisions and Goods sent from this Colony since, and Contracts made for much more, and for the Convenience and Security of Traders and others, Store Houses are built by the General at the *Little Crossing*, *Great Meadows*, and *Red Stone Creek*; and praying that the House will make him a suitable Allowance for his Expences and Trouble as they shall think he deserves.

*Ordered*, That the said Petition be referred to Mr *Attorney*, Mr *Waller*, Mr *Richard Henry Lee*, and Mr *Washington*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

The Order of the Day being read,

The House again resolved itself into a Committee to take into their further Consideration the Governor's Speech, with the several Letters to the said Committee referred, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Speech and Letters under their further Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Speech and Letters To-morrow.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Thursday, the 8th of November. 33 Geo. II. 1759.

A *Petition* of *Bernard Moore*, Gentleman, was presented to the House and read, setting forth, That at the last Session of this present General Assembly an Act passed empowering him to keep together all the Estate of *John Spotfwood*, Esq; and to apply the Profits towards the Discharge of his Fathers and his own Debts; and when that should be accomplished, the Sons of the said *John Spotfwood*

*Spotswood* were to be entitled to their respective Parts of the Estate. That the said *John Spotswood* being impowered by his Father's Will to sell certain intailed Lands for the Payment of his Sisters Fortunes and other Purposes, did, in his Lifetime, amongst other Parcels of the said Land, sell and convey to *John Thornton*, of the County of *Spotsylvania*, Gentleman, 9000 Acres, lying in the County of *Culpeper*, and re-purchased the said Land to himself in Fee Simple, and by his Will devised the same to his younger Son *John*; but some Doubts remain whether by such Repurchase the said *John Spotswood* was not restored to his old Estate Tail, so that his younger Son could not be entitled to the said Lands under his Will: And to prevent Law Suits and Animosities in the Family, the Petitioner, in his Petition for the said Act of Assembly (which was calculated to preserve the Estate to the Family in an equitable Manner, according to the Ancestors Wills) prayed that the said 9000 Acres of Land might be confirmed to the said younger Son, as his Father had paid his Money for it, and was in the Light of a fair Purchase; but not being able at that Time to discover the Deeds for the said Land to and from the said *John Thornton*, the Matter was then dropped. The Petitioner having since found the said Conveyances, prays that an Act may pass to confirm the Title of the said *John Spotswood*, the Younger, to the said 9000 Acres of Land, after he has paid the Debts according to the former Act.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Pendleton* to prepare and bring in the same.

A *Petition* of the Inspectors at *Hunting Creek* Warehouse, in the County of *Fairfax*, setting forth, That at the first Establishment of that Inspection their Salaries were settled at £30 per Annum, since which Time their Business is largely encreased, and praying the House to make them such Satisfaction as shall seem reasonable, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A *Petition* of the Justices, Clerk, and other Inhabitants, of the County of *Augusta*, setting forth, That the Court Day of that County, as it at present stands, is very inconvenient to themselves and others obliged to attend there, and praying that an Act may pass to alter the Court Day of the said County, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Christian* and Mr *Wilson* to prepare and bring in the same.

Mr *Bland* reported, That the Committee to whom the Petition of *Peter Menzie* was referred, had had the same under their Consideration, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, as follow:

It appears to this Committee, That the Petitioner was enlisted as a Soldier in the first *Virginia* Regiment: That he always behaved well and as a good Soldier during his Continuance in that Service: That in the Action on the *Ohio*, under the Command of Major *Grant*, he received a Wound in his left Arm, near the Wrist, which shattered both bones in such a Manner as to render him incapable of getting his Livelihood.

*Resolved*, That the said *Peter Menzie* ought to be allowed the Sum of £30, to be paid by the Publick, in full Compensation for the Injury he has received by Means of the said Wound.

A *Petition* of *John West*, setting forth, That he is seized in Fee Tail of and in 450 Acres of Land, in *King William*, under the Will of his late Father, *Thomas West*, deceased; That he is also seized in Tail of another Tract of Land, containing upwards of 4000 Acres, which, as he is not possessed of a sufficient Number of Slaves to cultivate and improve them, are at present of no real Value to him, but rather an Encumbrance: That it would be to the Advantage of himself and his Posterity to dock the Intail of the first mentioned Tract, and to settle five Slaves whereof he is possessed to the same Uses; and praying that an Act may pass for that Purpose, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Pendleton* to prepare and bring in the same.



A *Bill*, To impower the Veftry of the Parifh of *Dale*, in the County of *Chefterfield*, to fell the Glebe Land of the faid Parifh, was read a fecond Time, and an Amendment being made to the Title,

*Ordered*, That the faid Bill, with the Amendment, be engroffed, and read a third Time.

A *Petition* of *Christopher Weft*, fetting forth, That he was enlifted into the *Virginia* Regiment in *September*, 1754, where he continued in Duty till *February*, 1756, when he was taken Prifoner by the *Indians*, in which Captivity he remained till *October*, 1758, when he with others were fent in a Flag of Truce from *Quebeck* to *England*: That he hath at length, after many hardfhips, again joined his Regiment, and praying that he may be confidered by the Houfe, and recompenced for his loft Time, was prefented to the Houfe and read,

*Ordered*, That the faid Petition be referred to Mr *Washington* and Mr *Harrifon*; That they do examine into the Allegations thereof, and report the fame, with their Opinion thereupon, to the Houfe.

The *Order* of the Day being read,

The Houfe again refolved itfelf into a Committee to take into their further Confideration the Governor's Speech, together with the feveral Letters to the faid Committee referred; and after fome Time fpent therein, Mr *Speaker* refumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the faid Speech and Letters under their further Confideration, and gone through the fame, and had come to feveral Refolutions thereupon, which they had directed him to report to the Houfe; and he read the fame in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the Houfe, as follow:

*Resolved*, That the Regiment now in the Pay of this Colony be further continued in our Service until the firft Day of *May* next.

*Resolved*, That it is intended that Part of the Regiment now in the Pay of this Colony, at *Pittsburg*, fhall be employed for the Protection of the Frontiers againft the Incursions of the *Cherokee Indians*; That the Forces raifed laft Seffion of Affembly, for the Defence of the Frontiers, ought not to be continued for any longer Time than the firft Day of *December* next.

*Resolved*, That a Sum, not exceeding £10,000, be raifed for defraying the Expences of the Regiment until the faid firft Day of *May* next.

*Resolved*, That by the Act paffed in the twenty-eighth Year of his Majefty's Reign, intituled, *An Act to amend an Act, intituled, An Act declaring the Law concerning Executions, and for the Relief of infolvent Debtors, and for other Purpofes therein mentioned*; the Security of the Merchants of *Great Britain* in the Recovery of Sterling Debts due to them from this Colony is provided for, and their Property fecured in the full eft and ampleft Manner; and that they have not any juft Caufe of Complaint on that Head.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill, To oblige the Importers of Negroes for their own Ufe to pay a Duty; and it is referred to Mr *Richard Henry Lee*, Mr *Wythe*, and Mr *Webb*, to prepare and bring in the fame.

Upon a *Motion* made,

The Houfe immediately refolved itfelf into a Committee to confider of Ways and Means for raifing the Sum of £10,000 for defraying the Expence of the Regiment in the Service of this Colony till the firft Day of *May* next, purfuant to the above mentioned Refolution of the Houfe; and after fome Time fpent therein, Mr *Speaker* refumed the Chair, and Mr *Charles Carter* reported, That the Committee had had that Matter under their Confideration, but not having come to any Refolution thereupon, they had directed him to move for Leave to fit again.

*Resolved*, That this Houfe will again refolve itfelf into a Committee to confider further of Ways and Means for raifing the faid Money To-morrow.

A *Petition* of *Tarlton Fleming*, only Son and Heir of *Tarlton Fleming*, deceased, was prefented to the Houfe and read, fetting forth, That by Virtue of the Will of *Charles Fleming*,



*Fleming*, his Grandfather, he is seized of a Tract of Land called *Rock Castle*, in *Goochland* County, in Fee Tail; and by Virtue of his Father's Will he is seized of other Lands in Fee Simple, and possessed of fundry Negroe Slaves. That his said Father by his said Will bequeathed to each of his four Daughters (one of whom is since dead) the Sum of £500, with the Payment of which Portions of his surviving Sisters the Petitioner's Estates which he claims by his said Father's Will is chargeable: That the Petitioner's Lands of which he is seized in Fee Simple cannot be sold for Money sufficient to pay the said Portions; and that he will be under a Necessity of selling the greater Part of his Slaves, in Order to supply that Deficiency, unless he shall be impowered to dispose of Part of his said Land called *Rock Castle* and praying that an Act may pass to dock the Intail of Part of the said Land called *Rock Castle* and vest the same in the Petitioner in Fee Simple; and to settle his Fee Simple Lands and Slaves, which are of greater Value than that Part of the said Land called *Rock Castle*, to the same Uses as the Residue of the said Land called *Rock Castle*.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to Mr *Fleming* to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday. the 9th of November. 33 Geo. II. 1759.

13

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

Mr *Speaker* informed the House, That the Governor had desired him to lay before them two Letters he had just received, one from his Excellency Governor *Lyttleton*, of *South Carolina*, and the other from his Excellency Governor *Dobbs*, of *North Carolina*; and he delivered the said Letters in at the Table, where they were read, and ordered to lie on the Table.

Mr *Wythe* presented to the House, according to Order, a Bill, To dock the Intail of certain Lands therein mentioned, and to vest the same in *Lewis Burwell*, Esq; in Fee Simple, and for settling other Lands of greater Value to the same Uses; and the same was read the first Time, and ordered to be read a second Time.

A Petition of *Daniel M'Neil*, setting forth, That in *November*, 1758, he received a Wound in a Skirmish with the Enemy at Fort *Ligonier*, which has rendered him incapable of procuring a Livelihood for himself and his Family, consisting of a Wife and three small Children, and praying the Consideration of this House, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Washington* and Mr *Francis Lightfoot Lee*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

The Order of the Day being read,

The House again resolved itself into a Committee to consider further of Ways and Means for raising the Sum of £10,000, pursuant to Yesterday's Resolutions; and after some Time spent therein Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Sum of £10,000 be raised by a Tax of two Shillings on every Hoghead of Tobacco exported out of this Colony in the Years 1768 and 1769.

*Ordered*, That a Bill or Bills be brought in pursuant to the above Resolution, and also to the several Resolutions of the Committee Yesterday, agreed to by the House; and it is referred to Mr *Charles Carter*, Mr *Attorney*, Mr *Bland*, Mr *Nicholas*, and Mr *Waller*, to prepare and bring in the same.

Mr

Mr Attorney reported, That the Committee to whom the Petition of *Alexander Finnie* was referred had had the same under their Consideration, and examined divers Witnesses as to the Facts in the said Petition alledged, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and afterwards delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

<sup>14</sup> It appears to this Committee that the said *Alexander Finnie* obtained Leave from General *Stanwix* to clear the Road in the said Petitioned mentioned, which he performed in such a Manner as to admit of the Passage of a considerable Number of Waggon in the publick Service; and that by an Account, with an Affidavit at the Foot of it, to the said Petition annexed, it appears he expended the Sum of £169. 13 in that Service.

It further appears that the said *Alexander Finnie* opened a Subscription, in Order to obtain Money to defray the Expence of that Work, which, with his own Subscription of £30, amounted to about £70, but how much of the said Subscription hath been collected doth not appear.

*Resolved*, That the said *Alexander Finnie* ought to be allowed the Sum of £100 current Money, to be paid by the Publick, as a full Satisfaction for his Services aforesaid.

Mr *Christian* presented to the House, according to Order, a Bill, For altering the Court Day of the County of *Augusta*; and the same was read the first Time, and ordered to be read a second Time.

*Ordered*, That Mr *Pendleton* have Leave to be absent from the Service of this House the Remainder of this Session.

*And then the House adjourned till To-morrow Morning, Eleven o'Clock.*

## Saturday. the 10th of November. 33 Geo. II. 1759.

MR. *Richard Henry Lee*, from the Committee appointed, presented to the House, according to Order, a Bill, To oblige the Importers of Negroes for their own Use to pay a Duty; and the same was read the first Time, and ordered to be read a second Time.

A Petition of *Christopher Hudson*, setting forth, That in the Month of *June*, 1758, he was ordered, with a Company of Militia of *Hanover* under his Command, to march to the Protection of the Frontiers, where the said Company, by Order from his Honor the Governor, were detained in Service three Months longer than by Law they were appointed; and praying that an Allowance may be provided, as well for that extraordinary Service, as for the Damages done to their Arms, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Syme*, Mr *Payne*, and Mr *Dandridge*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Mr *Washington* reported, That the Committee to whom the Petition of *Daniel M'Neil* was referred had examined into the Allegations thereof, and found them to be true; and had come to a Resolution thereupon, which he read in his Place, and afterwards delivered in at the Table, where the same was again twice read, and agreed to by the House; as follows:

*Resolved*, That the said *Daniel M'Neil* ought to be paid the Sum of ten Pounds by the Publick, as an immediate Relief to his present Necessities; and that he be also paid the Sum of five Pounds per Annum for his future Support, and the Subsistence of himself and Family.

<sup>15</sup> A Petition of *John Dickenson*, setting forth, That he hath been informed that he was lately represented to this House as misbehaving in his Office, he being Captain of a Company of Rangers; and that for that Reason this House had given Directions to the Commissioners appointed for settling the Accounts of the ranging Companies, not to proceed on your Petitioner's Accounts till he should acquit himself before this House: That he is now attending for that Purpose, and praying that the House will take the same into Consideration, was presented to the House and read.

*Ordered*,



*Ordered*, That the said Petition be referred to Mr *Christian*, Mr *Wilson*, Mr *Thomas Johnson*, and Mr *Richard Henry Lee*; That they do examine into the Subject Matter thereof, and report the same, with their Opinion thereupon, to the House.

A *Petition* of *William Hunter*, setting forth, That his Business as Printer to the Publick is of late greatly encreased, as well by the frequent Sessions of Assembly, as by the Encrease of the Staple of this Country, requiring an additional Number of at least 30,000 Inspectors Notes; and praying the Consideration of this House thereon, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Bland*, Mr *Bowler Cocke*, Mr *Waller*, and Mr *Wythe*; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

An *Account* of Arrears due to several Companies of Militia, of the County of *Augusta*, under the Command of Col. *John Buchanan*.

*Also* fundry *Accounts* for Provisions and other Neecessaries furnished the said Militia and the *Catawba Indians* in our Service, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

Upon a *Motion* made,

*Ordered*, That it be an Instruction to the Treasurer of this Colony to make an Allowance to *John Lee*, Clerk of *Effex* County, of three Pounds and seven Pence Half-penny, for so much Money he had received for Taxes on Process and Ordinary Licenses, and of which it appears he was robbed.

*Ordered*, That Mr *Ruffin* and Mr *Webb* have Leave to be absent from the Service of this House the Remainder of this Session.

*And then the House adjourned till Monday Morning, Eleven o'Clock.*

## Monday, the 12th of November. 33 Geo. II. 1759.

MR. *Charles Carter*, from the Committee appointed, presented to the House, according to Order, a Bill For granting the Sum of £10,000 for the further Protection of this Colony; and the same was read the first Time, and ordered to be read a second Time.

Upon a *Motion* made,

*Ordered*, That the Thanks of this House be given to the Reverend Mr *William Giberne*, for his excellent Sermon preached Yesterday before the Council, and this House; and that Mr *Bland* and Mr *Landon Carter* do wait on him for that Purpose, and desire him to print the same.

Mr *Wythe* presented to the House, according to Order, a Bill, For vesting certain Lands, therein mentioned, in *John Spotswood*, the Younger, in Fee Simple; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *Samuel Galt* appointed Keeper of the publick Goal, in the Room of *Thomas Penman*, deceased, praying that the Salary usually allowed the said *Penman*, for maintaining the Prisoners committed to the said Goal, may be allowed the Petitioner from the Time of his Appointment to that Office, was presented to the House and read.

*Resolved*, That the additional Sum of £15 be paid to the said *Samuel Galt*, over and above the usual Salary of £25 per Annum.

*Resolved*, That ten Pounds of Tobacco per day be allowed the said *Samuel Galt* for every Criminal committed to the said Goal, during such Criminal's Imprisonment, from this Time to the End of the next Session of Assembly.

A *Bill*, To oblige the Importers of Negroes for their own Use to pay a Duty, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

A *Bill*, To dock the Intail of certain Lands, therein mentioned, and to vest the same in *Lewis Burwell*, Esq; in Fee Simple; and for settling other Lands, of greater Value,

in

in Lieu thereof, to the same Uses; was read a second Time, and committed to M<sup>r</sup> Wythe, M<sup>r</sup> Richard Henry Lee, and M<sup>r</sup> Ambler.

A Bill, For altering the Court Day of *Augusta* County, was read a second Time.

Ordered, That the said Bill be engrossed, and read a third Time.

M<sup>r</sup> Bland reported, That the Committee to whom the Petition of *William Hunter*, Printer, was referred, had had the same under their Consideration, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

Resolved, That the said *William Hunter* be allowed the Sum of £350 per Annum, to continue to the End of the next Session of Assembly; as a full Consideration for printing the Journals of the House of Burgesses, printing the Laws of each Session, and sending thirteen of them to every County Court Clerk, one of which to be half-bound for the Use of the Court; printing Inspectors Notes and Books, Proclamations, and other publick Advertisements.

Ordered, That the said Resolution be engrossed; and that M<sup>r</sup> Bland do carry it up to the Council for their Concurrence.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Tuesday, the 13th of November. 33 Geo. II. 1759.

17 M<sup>r</sup>. Syme reported, That the Committee to whom the Petition of Captain *Christopher Hudson* was referred, had examined into the same, and found the Allegation thereof to be true, and had come to two Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House as follow:

Resolved, That the Arrears due to the Company of Militia under the Command of the said *Christopher Hudson*, for their Service in the said Petition mentioned, amount to £270. 14. 8, as appears by the Pay Rolls of the said Company, which have been under the Inspection and Examination of the Commissioners appointed to state and settle the Militia Accounts, which ought to be paid by the Public.

Resolved, That the Sum of £16. 9. 3. ought to be paid by the Publick for the Damages done to the Arms of the said Company of Militia while they were in the publick Service.

A Petition of *Abraham Murray* was presented to the House and read, setting forth, That in the Month of *November*, 1758, he entered into a Contract with his Honor the Governor, in which he bound himself under a Penalty, to furnish, as well the Militia as such Rangers as should be employed in his Majesty's Service in the Counties of *Bedford* and *Halifax*, with Provisions till the first Day of *May* last, which Contract he punctually complied with. That upon the Reduction of *Fort Duquesne* the Militia were recalled, and before the Detachments from the ranging Companies took Possession of the Forts they had occupied, great Part of the Provisions the Petitioner had laid in for their Use were stolen and otherwise destroyed, those Detachments not coming till long after the Militia had abandoned their Posts, and left those Provisions to the Mercy of the Neighbourhood. That the Petitioner's Agents might have disposed of the Provisions left on Hand for his Account, but that the Petitioner had contracted to provide for the Rangers also in those Counties, and retained the Provisions for their Use; and praying the Consideration of the House on the Premises, and that he may be allowed for the Loss he has sustained in such Manner as shall be thought just.

Ordered, That the said Petition be referred to M<sup>r</sup> Bland, M<sup>r</sup> Christian, M<sup>r</sup> Claiborne, and M<sup>r</sup> Cary; That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Bill, For granting the Sum of £10,000 for the further Protection of this Colony, was read a second Time, and ordered to be committed to a Committee of the whole House.

Resolved,



*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

The *Order* of the Day being read,

The House resolved itself into a Committee upon the Bill, To oblige the Importers of Negroes, for their own Use, to pay a Duty; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

Mr *Fleming* presented to the House, according to Order, a Bill To dock the Intail of certain Lands whereof *Tarlton Fleming* is seized, and for settling other Lands and Slaves, of greater Value, to the same Uses; and the same was read the first Time, and ordered to be read a second Time. 18

A Claim of *William Spiller*, Assignee of *Joseph Morris*, for taking up a Runaway therein mentioned, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 14th of November. 33 Geo. II. 1759.

MR. Wythe reported, That the Committee to whom the Bill, To dock the Intail of certain Lands, therein mentioned, and to vest the same in *Lewis Burwell*, Esq; in Fee Simple, and for settling other Lands, of greater Value, in Lieu thereof to the same Uses, was committed, had examined into the Allegations of the said Bill, and found them to be true, but had made no Amendments thereto; and he delivered the Bill in at the Table.

*Ordered*, That the said Bill be engrossed, and read a third Time.

Upon a *Motion* made,

*Ordered*, That it be an Instruction to the Committee of Correspondence to direct the Agent for this Country, that if any Appeal should be carried from hence to *England*, relative to the Act, intituled, *An Act to enable the Inhabitants of this Colony to discharge their public Dues, Officers Fees, and other Tobacco Debts, in Money, for the ensuing Year*, to use his own Endeavours, and to employ proper Counsel to support the Proceedings of the Vestries, of this Colony acting under the Authority of the said Law.

The *Order* of the Day being read,

The House again resolved itself into a Committee upon the Bill, To oblige the Importers of Negroes, for their own Use, to pay a Duty; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had made several Amendments to the said Bill, which he read in his Place, and then delivered in at the Table, where the same were again twice read, and agreed to by the House, with an Amendment.

*Ordered*, That the said Bill, with the Amendments, as amended, be engrossed, and read a third Time.

Mr *Christian* reported, That the Committee to whom the Petition of *John Dickenson* was referred, had had the same under their Consideration, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same were again read.

*Ordered*, That the said Petition be re-committed to the said Committee; and that Mr *Walker* be added thereto.

The *Order* of the Day being read, for the House to resolve itself into a Committee upon the Bill, For granting the Sum of £10,000, for the further Protection of this Colony.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

19 Mr *Washington* reported, That the Committee to whom the Petition of *Christopher West* was referred, had examined into the Allegations thereof, and found them to be true, and had come to two Resolutions thereupon, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Report be put off till Tomorrow.

A *Claim* of *John Roberts*, for taking up a Runaway, therein mentioned, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

A *Petition* of *John Dickenson*, setting forth, That he was Captain of a Company of Rangers on the Frontiers of this Colony, which at some Times consisted of upwards of 100 Men, which he was obliged to divide into three or four different Parties, in Order to prevent the Inhabitants from deserting their Settlements: That he hath actually paid the whole of his said Company, but that the Commissioners appointed to settle the Militia Accounts thought they were not authorized to allow him for more than 100 Men; and praying the Consideration of this House therein, was presented to the House and received.

*Ordered*, That the Consideration of the said Petition be put off till To-morrow.

*And then the House adjourned till To-morrow Morning, Eleven o'Clock.*

## Thursday, the 15th of November. 33 Geo. II. 1759.

A *Petition* of *Leonard Leechenan*, setting forth, That he was one of the drafted Militia from the County of *Prince William*, in the Year 1758, and was in Service on the Frontiers 108 Days; but by some Mistake his Name was omitted to be inserted in the Pay Roll, and by that Means he hath not received any Satisfaction for his said Service; and praying the Consideration of the House therein, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A *Message* from the Council by Mr *Walthoe*,

*That they have agreed to the Resolve of this House, for allowing William Hunter, Printer, a Salary of £350 per Annum, for the Services therein mentioned.*

*Also to the Resolve, for allowing Alexander Finnie the Sum of £100, for his Services therein mentioned; And*

*Also to the Resolve, for furnishing the acting Justices in the several Counties, in this Colony, with Mercer's Abridgement of the Laws, at the publick Expence.*

The House proceeded to the Consideration of the Petition of *John Dickenson*, Yesterday presented to the House, and referred to be considered this Day; and the Question being put, that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

20 Mr *Bland* reported, That the Committee to whom the Petition of *Abraham Murray* was referred, had had the same under their Consideration, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said Petition ought to be referred to the Consideration of the next Session of Assembly.

A *Bill*, To dock the Intail of certain Lands whereof *Tarlton Fleming* is seized, and for settling other Lands and Slaves, of greater Value, to the same Uses, was read a second Time, and committed to Mr *Nicholas*, Mr *Payne*, and Mr *Carrington*.

An *Account* of *James Wimboufsh*, for Provisions for *Indians* in the Service of the Colony, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.



An engrossed *Bill*, intituled, *An Act to amend the several Acts laying a Duty on Slaves imported into this Colony*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Richard Henry Lee* do carry up the said *Bill* to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act to impower the Vestry of the Parish of Dale, in the County of Chesterfield, to sell the Glebe Land of the said Parish, and for other Purposes therein mentioned*, was read a third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Cary* do carry up the said *Bill* to the Council for their Concurrence.

Mr *Christian* reported, That the Committee to whom the Petition of *John Dickenson* was re-committed, had again had the same under their Consideration, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said *John Dickenson* hath faithfully discharged his Duty in his Office of Captain of a Company of Rangers; and that the Money due to himself and Company ought to be paid by the Publick, to be settled in the same Manner as by Law is directed.

The House proceeded to the Consideration of the Report from the Committee to whom the Petition of *Christopher West* was referred, and the Resolutions of the said Committee being again twice read, were agreed to by the House, as follow:

*Resolved*, That the said *Christopher West* ought to be allowed the Sum of £32, as a Consideration for his Pay during his Captivity.

*Resolved*, That if the said *Christopher West* is entitled to any Arrears of Pay, before the Time he was taken Prisoner as aforesaid, the same should be settled by the Pay Master of the Regiment.

The *Order* of the Day being read,

The House resolved itself into a Committee upon the *Bill*, For granting the Sum of £10,000, for the further Protection of this Colony; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said *Bill* under their Consideration and made several Amendments thereto, 21 which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Report be put off till To-morrow.

And then the House adjourned till To-morrow Morning, Eleven o'Clock.

## Friday, the 16th of November. 33 Geo. II. 1759.

**A**N Account of Arrears due to a Party of the Militia of *Bedford* County in the service of this Colony.

And a Claim of *Thomas Cooper*, for taking up a Runaway therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

Upon a *Motion* made,

*Ordered*, That Mr *Waller* be added to the Committee to whom the *Bill*, To dock the Intail of certain Lands, whereof *Tarlton Fleming* is seized, and for settling other Lands and Slaves, of greater Value, to the same Uses.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a *Bill*, For paying the Burgesses Wages, for this present Session of Assembly, in Money; and it is referred to Mr *Henry Lee* to prepare and bring in the same.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a *Bill*, For lessening the Duty on Slaves imported; and it is referred to Mr *Bland* and Mr *Waller* to prepare and bring in the same.

The House proceeded to the Consideration of the Amendments proposed by the Committee of the whole House to the *Bill*, For granting the Sum of £10,000, for the further

ther Protection of this Colony; and the same being again twice read, were agreed to by the House, with some Amendments.

*Ordered*, That the Bill, with the Amendments, as amended, be engrossed, and read a third Time.

Mr *Bland* presented to the House, according to Order, a Bill, For lessening the Duties laid upon Slaves imported, and the same was read the first Time, and ordered to be read a second Time.

Upon a *Motion* made,

The said Bill was immediately read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

A Bill, For vesting certain Lands, therein mentioned, in *John Spotswood* the Younger, in Fee Simple; was read a second Time, and committed to Mr *Wythe*, Mr *Henry Lee*, Mr *Ambler*, and Mr *Walker*.

Mr *Henry Lee* presented to the House, according to Order, a Bill, For paying the Burgesses Wages, for this present Session of Assembly, in Money; and the same was read the first Time, and ordered to be read a second Time. And

Upon a *Motion* made,

The said Bill was immediately read a second Time.

*Ordered*, That the said Bill be engrossed and read a third Time.

22 And then the House adjourned till To-morrow Morning, Eleven o'Clock.

## Saturday. the 17th of November. 33 Geo. II. 1759.

THE Order of the Day being read.

The House resolved itself into a Committee upon the Bill, For lessening the Duties laid upon Slaves imported; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, That the Committee had had the said Bill under their Consideration, and made several Amendments thereto, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, with some Amendments.

*Ordered*, That the Bill, with the Amendments, as amended, be engrossed, and read a third Time.

A Message from the Council by Mr *Walthoe*,

That they have agreed to the Bill, intituled, An Act to empower the Vestry of the Parish of Dale, in the County of Chesterfield, to sell the Glebe Land of the said Parish; and for other Purposes therein mentioned.

A Petition of *Alexander Sayers*, setting forth, That he was ordered out by his Honor the Governor, with a Company of the Militia of Augusta under his Command, in the Year 1758, with which he was in Service of the Government for three Months, and his Accounts were settled by the Commissioners appointed to settle the Militia Accounts, upon whose Certificate his Honor granted him his Warrant to the Treasurer for the Payment of the Money due to himself and his said Company. That at the last Session of Assembly, on the fourth day of April, the House addressed his Honor the Governor to stop the Payment of his Warrant to the Petitioner, being of Opinion the Commissioners had no Power to pass any Militia Accounts accruing after the passing the Act appointing them to their Office, by which Means the Petitioner and his said Company have hitherto been kept out of their Pay; and praying the Consideration of this House therein, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

An



An engrossed *Bill*, intituled, *An Act for granting the Sum of £10,000, for the further Protection of this Colony*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Bland* do carry up the said *Bill* to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act to dock the Intail of certain Lands, therein mentioned, and to vest the same in Lewis Burwell, Esq; in Fee Simple; and for settling other Lands of greater Value, in Lieu thereof, to the same Uses*; was read the third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Wythe* do carry up the said *Bill* to the Council for their Concurrence

An engrossed *Bill*, intituled, *An Act for altering the Court Day of the County of Augusta*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Cary* do carry up the said *Bill* to the Council for their Concurrence.

An engrossed *Bill*, intituled, *An Act for paying the Burgeesses Wages, for this present Session of Assembly, in Money*, was read the third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Henry Lee* do carry up the said *Bill* to the Council for their Concurrence.

*And then the House adjourned till Monday Morning, Eleven o'Clock.*

## Monday, the 19th of November. 33 Geo. II. 1759.

A Message from the Governor was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governor has commanded me to lay before this House a Letter his Honor has just received from his Excellency General Amherst, in Favor of Capt. Stobo, by whom it was sent, which, with that Gentleman's singular Sufferings, he recommends to the immediate Consideration of this House.*

The House immediately proceeded to the Consideration of the said Letter, and the same being read,

Upon a *Motion* made, it was

*Resolved*, That the Sum of £1000 be paid by the Treasurer of this Colony to Captain *Robert Stobo*, over and above the Pay that is due to him from the Time of his rendering himself A Hostage to this Day, as a Reward for his Zeal to his Country and a Recompenſe for the great Hardships he has suffered during his Confinement in the Enemy's Country.

*Ordered*, That the said *Resolve* be engrossed; and that Mr *Bland* do carry it up to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That an humble Address be made to his Honor the Governor, to desire that he will be pleased to take Capt. *Stobo* into his special Care and Favor, and promote him in the Service of this Colony; and that Mr *Richard Henry Lee* do wait on his Honor with the said Address.

Upon a *Motion* made,

*Resolved*, That the Thanks of this House be given to Mr *Robert Stobo* for his steady and inviolable Attachment to the Interest of this Country; for his singular bravery and Courage exerted on all Occasions during this present War, and for the Magnanimity with which he has supported himself during his Confinement in *Canada*: And that he be congratulated in the Name of this House on his safe and happy Return to this Colony: And that Mr *Nicholas*, Mr *Bland*, and Mr *Washington*, do wait on him for that Purpose.

An engrossed *Bill*, intituled, *An Act to oblige the Persons bringing Slaves into this Colony from Carolina, Maryland, and the West Indies, for their own Use, to pay a Duty*; was read the third Time, and the Blanks therein filled up.

*Resolved*,

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Richard Henry Lee* do carry up the said Bill to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That the several Sums following be allowed to the several Officers of the General Assembly, respectively.

To <i>John Randolph</i> , Esq; Clerk of the House of Burgeffes.....	£150	
To <i>Nathaniel Walthoe</i> , Esq; Clerk of the General Asssembly.....	50	
To the Rev. Mr <i>William Yates</i> , Chaplain.....	25	
To Mr <i>Francis Eppes</i> , Serjeant at Arms.....	40	
To the Door-Keeper of the Council.....	6	
To <i>James Lavie</i> ,	} Door-Keepers to the House,..... {	6
To <i>Thomas Broadrib</i> ,		6
To <i>Thomas Francis</i> ,		6
To <i>James Yates</i> ,		6
To <i>George Davenport</i> , for his Services this Seffion.....		15

*Ordered*, That the said Resolve be engrossed; and that Mr *Richard Henry Lee* carry it up to the Council for their Concurrence.

Upon a *Motion* made,

*Ordered*, That a Committee be appointed, to examine the inrolled Bills, of the following Persons, viz. Mr *Read*, Mr *Henry Lee*, Mr *Wager*, and Mr *Edmunds*.

A *Message* from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, intituled*, An Act to dock the Intail of certain Lands, therein mentioned, and to vest the same in *Lewis Burwell*, Esq; in Fee Simple; and for settling other Lands of greater Value, in Lieu thereof, to the same Uses.

*Also to the Bill, intituled*, An Act for altering the Court Day of the County of *Augusta*.

*Also to the Bill, intituled*, An Act for paying the Burgesses Wages, for this present Session of Assembly, in Money.

*Also to the Bill, intituled*, An Act to oblige the Persons bringing Slaves into this Colony from *Maryland*, *Carolina*, and the *West Indies*, for their own Use, to pay a Duty.

*Also to the Resolve for allowing Captain Robert Stobo the Sum of £1000, for the Services therein mentioned.*

*And to the Resolve for paying the Salaries of the respective Officers of the General Assembly for this present Session.*

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday, the 20th of November. 33 Geo. II. 1759.

A *Message* from the Council by Mr *Walthoe*.

*That they have passed a Bill, intituled*, An Act to establish a Method to preserve the Credit of the Paper Currency of this Colony, to which they desire the Concurrence of this House.

25 The House immediately proceeded to the Consideration of the said Bill, and the same being read the first Time, and the Question put that it be read a second Time, It passed in the Negative.

*Resolved*, That the said Bill be rejected.

A *Message* from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, intituled*, An Act for granting the Sum of £10,000, for the further Protection of this Colony.



Mr Nicholas reported, That the Committee appointed had, according to Order, waited on Capt. Stobo with the Resolution of this House, to return him their Thanks for his late Services to this Colony, to which he had returned the following Answer:

Mr Speaker, and Gentlemen of the House of Burgeffes,

*The distinguishing Tokens of Favor and Benevolence which you have vouchsafed voluntarily to confer on me, and that unanimously and immediately upon my happy Return to this Country, have administered to my Heart the greatest Consolation it was susceptible of, gratified every Wish it was capable of entertaining, and imprinted upon it the most indelible Sense of Gratitude it could possibly be affected with.*

*To be informed by the Voice of the Publick, that I have discharged my Duty to their Satisfaction, and merited their Thanks for my Conduct, is the highest Glory my Ambition could aspire at, and will determine me, upon any future Occasion, to exert myself with all the Vigor and Alacrity which the united Ardor of Gratitude and Duty can inspire.*

ROBERT STOBO.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

### Wednesday, the 21st of November. 33 Geo. II. 1759.

MR. Read reported, That the Committee appointed had, according to Order, examined the inrolled Bills and rectified such Mistakes as were found therein, and that they were truly inrolled.

Ordered, That Mr Read do carry up the inrolled Bills to the Council for their Inspection.

A Message from the Council by Mr Walthoe.

*That they have inspected the inrolled Bills, and are satisfied they are truly inrolled,*

A Message from the Governor by Mr Walthoe.

Mr Speaker, and Gentlemen of the House of Burgeffes,

*The Governor commands the immediate Attendance of this House in the Council Chamber, and that you bring with you such Bills and Resolves as are ready for his Assent.*

Mr Speaker, with the House, went up accordingly, and the Governor was pleased to give his Assent to the following Bills,\* viz.

1. An Act for granting the Sum of Ten Thousand Pounds, for the further Protection of this Colony.

2. An Act to oblige the Persons bringing Slaves into this Colony from Maryland, Carolina, and the West Indies, for their own Use, to pay a Duty.

3. An Act for altering the Court Day of the County of Augusta.

4. An Act to impower the Vestry of the Parish of Dale, in the County of Chesterfield, to sell the Glebe Land of the said Parish; and for other Purposes therein mentioned.

5. An Act for paying the Burgeffes Wages, for this present Session of Assembly, in Money.

6. An Act to dock the Intail of certain Lands, therein mentioned, and to vest the same in Lewis Burwell, Esq; in Fee Simple, and for settling other Lands of greater Value, in Lieu thereof, to the same Uses.

His Honor likewise gave his Assent to the following Resolves, viz.

1. A Resolve for paying the Sum of £1000 to Capt. Robert Stobo, for the Services therein mentioned

2. A Resolve for paying Alexander Finnie the Sum of £100, for the Services therein mentioned.

3. A

\*Hening VII, 331 ff.

3. A Resolve for furnishing the acting Justices of the Peace in the several Counties in this Colony with M<sup>r</sup> Mercer's Abridgment at the Publick Expence.

4. A Resolve for paying William Hunter, Printer to the Publick, a Salary of £300 per Annum.

5. Also to the Resolve for paying the Salaries of the respective Officers of the General Assembly for this present Session.

And then his Honor was pleased to make the following Speech.

Gentlemen of the Council, M<sup>r</sup> Speaker, and Gentlemen of the House of Burgeffes,

As you have gone through the particular Branches of Business which were the immediate Cause of my summoning you, and as you have shewn a Desire of retiring to your own Counties, by your not entering on the common Business of the Country, I shall not detain you longer from pursuing your Inclinations, being at all Times desirous to comply therewith as far as is consistent with the Duty I owe to his Majesty, and the Attachment I have to this Colony.

I cannot but wish that you had more amply provided for the great Services which to me seemed necessary for your Preservation; notwithstanding this, I give you the strongest Assurances that I will, with the utmost Affiduty and Application, employ the Forces you have entrusted to me, to the best of my Abilities, towards the finishing and protecting the Works now erecting at Pittsburg, the assisting Governor Lyttleton against the Cherokee Indians, if they should be rash enough to declare War, and the preserving and securing our own Frontiers. If I should be so unfortunate as to fail in either of these Particulars, I trust you will have Candor enough to attribute it to the Scantiness of the Power with which you have invested me. This you have encouraged me to hope, from the Approbation you have given to my former Conduct. I shall close this Session, with repeating the Satisfaction I always receive from being thought to have done my Duty; and shall accordingly prorogue you, and you are hereby prorogued, to the First Tuesday in March next.





# JOURNAL

of the

# HOUSE OF BURGESSES

1760

March Session





# JOURNAL

of the

## HOUSE OF BURGESSES

**A**<sup>T</sup> A GENERAL ASSEMBLY summoned to be held at the Capitol in the City of WILLIAMSBURG on THURSDAY, the fourteenth Day of SEPTEMBER in the XXXII<sup>d</sup> Year of the Reign of our Sovereign Lord King GEORGE the second and in the year of our Lord 1758 and from thence continued by several Prorogations to TUESDAY the 4<sup>th</sup> Day of MARCH in the XXXIII<sup>d</sup> Year of his Majesty's Reign Annoqz Dom 1760 and then held at the Capitol in the said City being the fifth Session of this Assembly.

**Tuesday, the 4th of March, 33 Geo. II. 1760.**

**A** Message from the Governor was delivered by Mr Walthoe.  
Mr Speaker, and Gentlemen of the House of Burgessees,  
The Governor commands the immediate Attendance of your House in the Council Chamber.

Accordingly Mr Speaker, with the House, went up to attend the Governor.

And being returned, reported, That the House had attended the Governor in the Council Chamber; and that the Governor was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read to the House, and afterwards delivered in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgessees,

**I** Have called you together at this juncture, that I might be informed in Time of your Resolutions and Intentions, in Relation to the Regiment; which, without your farther Assistance, I must disband on the first Day of May next, agreeably to the Act providing for their Subsistence, which has been punctually complied with in every other Particular.

The Expediency of keeping up this reputable Body of Men will fully appear to you, from the Letters I have received from Major-Generals Amherst and Stanwix, Governor Lyttleton, and Colonel Byrd, all of which I shall immediately lay before you, for your better Information: Could I add any thing to what these Gentlemen have wrote on this Head, I would remind you, that Great Britain, notwithstanding the enormous Debt under which she at present labors, is raising many Millions for the Service of the ensuing Year; that notwithstanding the Invasion with which she was threatened, and the Sums expended for the Defence of her own Coasts, she has never been backward in supporting and defending her Colonies, but has, like a true and tender Mother, in Part reimbursed them for the Expences they have been at in their own Defence, as is evident by the annual Grants of Parliament for the Support and Encouragement of the Colonies; and we can have no Room to doubt of her future Benevolence towards us.

As a farther Motive to induce you to pursue this salutary Measure, consider the present declining State of France; her Trade ruined, her Navy destroyed, her Treasury Bankrupt, and



and the Spirits of her People so entirely broke, that she is become rather an Object of Pity <sup>5</sup> than of Resentment: From these Circumstances, it is most probable that the Blessings of Peace will soon attend us; will you not then persevere to the last? Will you tarnish the Honour and Reputation you have justly acquired, by withdrawing yourselves at the Close of the Day? I cannot suppose it. Therefore,

Gentlemen of the House of Burgeffes,

Though I recommend Measures productive of farther Expence to your Consideration, let me assure you, that I am sorry the Circumstances of the Times oblige me to it; but I think them for your Honor, for your future Safety, and in all Respects for the Interest of this Colony, for which you have always shewn so uniform a Regard; and I make no Doubt but you will concur in them.

Gentlemen of the Council and of the House of Burgeffes,

Having thus laid before you all Matters which occur to me for your present Deliberations, I shall leave them with you, requesting you to use Dispatch in your Consultations, that I may make known your Resolutions to the Commanders before the usual Time of opening the Campaign. I have the farther pleasure to inform you that I have received a Patent under the Great Seal of Great Britain, appointing Major-General Amherst to be Governor and Commander in Chief of this Colony; an Instance of his Majesty's Regard to true Merit, which must give great Satisfaction to the Inhabitants of this Continent, who are rescued from <sup>6</sup> the Hands of the Enemy, by the Conduct and Vigor of so able a Commander.

And late in the Evening Yesterday, I received fresh Letters from Mr Secretary Pitt and Major-General Amherst, signifying his Majesty's Commands to me, to recommend to the General Assembly of this Dominion, in the strongest Terms, the exerting themselves by the most vigorous Measures during this Campaign, which will probably be the last.

Mr Speaker informed the House, that the Governor had delivered to him several Letters from Mr Secretary Pitt, Major-Generals Amherst and Stanwix, Governor Lyttleton and Colonel Byrd, and desired him to lay them before the House.

And the said Letters were read, and ordered to lye on the Table.

Resolved, That an Address be presented to the Governor to return him the Thanks of this House for his kind Speech; to assure him that we reflect, with the highest Gratitude, on the Care his Majesty has taken of his Colonies, and on his appointing Major-General Amherst to be Governor of this Colony, whose Conduct and Abilities have made him dear to every one who has the Interest of his Country at Heart: That we are sensible, the Security and Tranquillity we now enjoy, are owing to his Majesty's Wisdom <sup>7</sup> and Goodness, and that we shall on this Occasion, endeavor to support that Character which his Honor is pleased to tell us we have by our former Conduct acquired.

Ordered, That a Committee be appointed to draw up an Address to the Governor, pursuant to the said Resolution; and it is referred to Mr Attorney, Mr Braxton, and Mr Charles Carter, to prepare and bring in the same.

Two Members returned upon new Writs, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration and also subscribed the Test, were admitted to their Places in the House.

Resolved, That the House will take the Governor's Speech into Consideration Tomorrow.

Ordered, That the Reverend Mr Williams be continued Chaplain to this House, and that he attend to read Prayers every Morning at Ten o'Clock.

Ordered, That Thomas Broadrib, Thomas Francis, James Lavie, and James Yates, be continued in their respective Offices of Door Keepers to this House, and that they give their Attendance accordingly.

Ordered, That an Address be made to the Governor, to order a new Writ to issue for electing a Burgefs to serve in this present General Assembly for James Town, in the <sup>8</sup> Room

Room of M<sup>r</sup> John Ambler, who, since his Election, hath accepted of an Office of Profit in this Government; and that M<sup>r</sup> Wythe do wait on him with the said Addrefs.

*Ordered*, That an Addrefs be made to the Governor, to order a new Writ to issue for electing a Burgefs to ferve in this prefent General Affembly for County of *Spotsylvania*, in the Room of M<sup>r</sup> William Waller, deceased, and that M<sup>r</sup> Richard Henry Lee do wait on him with the said Addrefs.

*And then the Houfe adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 5th of March, 33 Geo. II. 1760.

UPON a *Motion* made,

*Ordered*, That all fuch Claims and Propofitions as were referred from the laft to this Seffion of Affembly, and alfo all fuch Claims and Propofitions as fhall be certified to this, be referred to the Confideration of the next Seffion of Affembly.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill to explain the A<sup>ct</sup>, intituled, *An A<sup>ct</sup> for eftablifhing a Trade with the Indians in Alliance with his Majefty*; and it is referred to M<sup>r</sup> Richard Henry Lee, M<sup>r</sup> Waller, and M<sup>r</sup> Bland, to prepare and bring in the fame.

The *Order* of the Day being read, for the Houfe to take the Governor's Speech into Confideration.

*Resolved*, That this Houfe will refolve itfelf into a Committee upon the said Speech.

*Ordered*, That the feveral Letters Yefterday laid before the Houfe, by Defire of his Honor the Governor, be referred to the Confideration of the said Committee.

And then the Houfe refolved itfelf into a Committee upon the said Speech and Letters; and, after fome Time fpent therein, M<sup>r</sup> Speaker refumed the Chair, and M<sup>r</sup> Charles Carter reported, that the Committee had had the fame under their Confideration, and come to feveral Refolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the Houfe, as follow:

*Resolved*, That the Regiment now in the Pay of this Colony be farther continued, in the Service of this Colony untill the firft Day of *November* next.

*Resolved*, That 300 of the said Regiment be farther continued, in the said Service, from the said firft Day of *November*, to the firft Day of *April* following, if it fhall be  
10 thought neceffary by the Governor, or Commander in Chief of this Colony.

*Resolved*, That a fum, not exceeding £20,000, be raifed for the Pay and Maintenance of the said Forces untill the said firft Day of *April*.

Upon a *Motion* made,

*Resolved*, That this Houfe will refolve itfelf into a Committee, to confider of Ways and Means to raife the Sum of £20,000, purfuant to the Refolutions of the said Committee this Day agreed to by the Houfe, To-morrow.

*And then the Houfe adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday, the 6th of March, 33 Geo. II. 1760.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by A<sup>ct</sup> of Parliament, inftead of the Oaths of Allegiance and Supremacy, and taken and fubfcribed the Oath of Abjuration, and alfo fubfcribed the Teft, was admitted to his Place in the Houfe.

M<sup>r</sup> Attorney reported, that the Committee appointed had, according to Order, prepared an Addrefs to the Governor; which he read in his Place, and then delivered in at  
the



the Table, where the same was again twice read, and agreed to by the House, and is as follows:

Sir,

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*We his Majesty's most dutiful and loyal Subjects, the Burgeffes of Virginia, now met in General Assembly, return you our Thanks, for your kind Speech at the Opening of this Session. The Concern you shew for the Honor and Reputation of this Colony, is a fresh Instance of your Affection and Regard to it, and claims our warmest Acknowledgments:*

*We reflect, with the highest Gratitude, on the generous Supplies which our Mother Country has given, and on the Care his Majesty has taken for the Protection of the Colonies; and we are truly sensible, that the Security and Tranquillity we at present enjoy are derived from his Wisdom and Goodness.*

*The Appointment of Major-General Amherst to be Governor and Commander in Chief of this Colony, cannot but give us great Satisfaction, since the Valor and Conduct of that able Commander, have long made him dear to us.*

*We shall on this Occasion endeavor to support that Character, which your Honor is pleased to tell us we have by our former Conduct acquired, and shall proceed on the Business recommended to us, with all possible Dispatch.*

*Ordered, That the said Address be fairly transcribed and presented by the whole House.*

*Ordered, That the Committee who prepared the same wait on the Governor, to know his Pleasure when this House shall attend his Honor to present it.*

The Order of the Day being read,

The House resolved itself into a Committee, to consider of Ways and Means for raising the Sum of £20,000, pursuant to the several Resolutions of the Committee Yesterday agreed to; and, after some Time spent therein, Mr Speaker resumed the Chair, and Mr Charles Carter reported, That the Committee had had that Matter under their Consideration, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, as follows:

*Resolved, That the Sum of £20,000, to be raised for the [ Pay ] and Maintenance of the Forces to be continued in the Service of this Colony be raised by a Tax of one Shilling and Three pence on every Hundred Acres of Land in the Years 1767 and 1768, and two Shillings on every Tithable Person in this Colony, in the Year 1768.*

*Ordered, That a Bill or Bills be brought in, pursuant to the said Resolution, and also to the several Resolutions of the Committee Yesterday agreed to by the House; and it is referred to Mr Charles Carter, Mr Attorney, Mr Waller, Mr Pendleton, Mr Wythe and Mr Harrison, to prepare and bring in the same.*

13

Mr Richard Henry Lee, from the Committee appointed, presented to the House, according to Order, a Bill, To explain and amend an Act, intituled, *An Act for establishing a Trade with the Indians in Alliance with his Majesty*; And the same was read the first Time, and ordered to be read a second Time.

A Petition of John Tennent was presented to the House and read, setting forth, that many Years ago his Father (now deceased) discovered an efficacious remedy for Plurifies and other Disorders, and at the Request of several Gentlemen of this Colony, communicated the same to the Publick, for which he was recompenced by the Assembly with a Gratuity of £100; since which, the aforesaid Remedy hath become universal, and by great Experience, found very serviceable in those Disorders: That the Petitioner's said Father left his Family in very indigent Circumstances, and the Petitioner having obtained his Education at the College on a publick foundation, and since applied himself to the Study of Physick, to complete which he hath been advised to go to England; but having no other Dependence than the Assistance of a Particular Friend, humbly prays Aid of this House which he hopes will be granted him, the rather because his Father having promulgated the Benefit arising to the Publick from his aforesaid Discovery, waved the great Advantage he might reasonably have expected to have obtained

from



from it, if he had kept the Secret to himself. And the Question being put, that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved* That the said Petition be rejected.

A Claim of *Reuben Straughan*, for taking up a Runaway Slave therein mentioned. Also a Claim of *John Taylor*, for the same Service; were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 7th of March, 33 Geo. II. 1760.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his place in the House.

Mr Attorney reported, that the Committee appointed had according to Order, waited on the Governor to know his Pleasure, when this House should attend him with their Address; and that he was pleased to appoint this Day, and to say he would signify by a Message to the House when he was ready to receive it.

Mr Charles Carter, from the Committee appointed, presented to the House, according to Order, a Bill for granting the Sum of £20,000 for the Better Security and Protection of this Colony; and the same was read the first Time and ordered to be read a second Time.

A Petition of *Thomas Roy*, praying to be reimbursed by the Publick for the Expenses he had been at in building a Wharf for the Publick Use of *Roy's* Warehouses in *Caroline* County; alledging that the Rents, of the said Warehouses (of which he is Proprietor) are not sufficient for that Purpose was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A Petition of *William Fleming*, setting forth, that in the Year 1755 he received a Commission as Ensign in Captain *David Bell's* Company, and in Pursuance of Orders from Colonel *Washington*, recruited a Number of Men and subsisted them at his own Expence; ten of which, in their March to the County of *Augusta*, deserted, and were never afterwards retaken; for which reason Colonel *Washington*, in settling the Petitioner's recruiting Account, refused to make him any Allowance for those Deserters; and praying to be reimbursed by the Publick for the Charges of inlisting and subsisting the said Deserters, which amounts to £35. 13, was presented to the House and read.

*Ordered*, That the said Petition be referred to Mr *Riddick* and Mr *Harrison*: That they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Several Claims of *William Willie*, Clerk, *James Wren*, *James Fawn*, *John Halcombe* and *John Dudley*, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

A Bill to explain and amend an Act intituled, *An Act for establishing a Trade with the Indians in Alliance with his Majesty*, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee upon the said Bill To-morrow.

Mr *Riddick* reported, that the Committee to whom the Petition of *William Fleming* was referred, had had the same under their Consideration, and had come to a Resolution thereupon, which he read in his Place and then delivered in at the Table, where the same was again twice read, and agreed to by the House as follows:

*Resolved*,

*Resolved*, That the Allegations of the said Petition are true, and that the said *William Fleming* ought to be allowed the Sum of £35. 13. for so much by him expended in the publick Service, to be paid by the Publick.

A *Message* from the Governor by Mr *Walthoe*,

Mr *Speaker*, and Gentlemen of the House of Burgeffes,

*I am commanded by the Governor to acquaint this House, that his Honor is now ready to receive their Addrefs in the Council Chamber.*

Accordingly Mr *Speaker*, with the House, went up; and being returned, reported, That he, with the House, had attended the Governor in the Council Chamber, and presented the Addrefs of this House to him, to which he was pleased to return the following Answer:

Mr *Speaker*, and Gentlemen of the House of Burgeffes,

*The just Sense you entertain of his Majesty's great Wisdom and Goodness; the Steadiness with which you have persevered to support his Rights and protect this Colony; the Alacrity with which you have undertaken, and the Progress you have already made in, the Measures recommended to you, together with the Affection and Regard shewn to me in this Address, demand a Return of my most sincere Thanks, which I give you with the greatest Cordiality.* 18

Mr *Speaker* informed the House, that the Governor had delivered to him several Letters from Sir *John St. Clair*, Colonel *Byrd*, Major *Stobo*, and Mr *Van Braam*, which he had desired him to lay before the House.

And the said *Letters* were read, and ordered to lye on the Table.

A *Memorial* of the Officers of the *Virginia* Regiment was presented to the House and read, setting forth, That they had cheerfully entered into the Service of this Colony, at a Juncture when an aversion to a Military Life was general and conspicuous, and when the unjustifiable Encroachments of the *French* threatened our Lives and Properties with great Danger; since which Period, they had made the Study of their Profession the Object of their closest Attention, and dropped all Thoughts of their former Employments, to which they cannot return but with the utmost Reluctance, and under such Infinity of Disadvantages, as will totally incapacitate them from pursuing the same with any Probability of Success: That such of them as had any Fortunes, had expended them; and those who had none are greatly involved by procuring the Necessaries, and a very few of the Conveniences of Life; of both which they were often destitute, and which in the Country (or rather Wildernesse) they generally served in, could never be got but at an exorbitant Rate: That they have for a Number of Years been on constant severe Duty, encountered the rudest Toils and most imminent Dangers, been Strangers to Winter-Quarters, and other Relaxations from the Duties of the Field, which other Troops enjoyed, and all have a Right to: That they have spent their youthful Days, impaired their Health, hurt their Constitutions, and in fine been deprived of those Resources that would have enabled them to have gained a Livelihood: That by close Application, and a steady Perseverance in the punctual Execution of their Duty, such good Order, Regularity, and strict Discipline (which can alone constitute good Troops) have long been maintained in the Regiment so as to have attracted the Particular Notice and Approbation of the best Judges; acquired a Superiority over all other Provincial Troops, and rendered it universally admired by all with whom it did Duty: This Assertion is clearly evinced, by the general Behaviour of its Officers in the many Actions it has been engaged in, and the signal Bravery of several, whose gallant Conduct and glorious Deaths redound so much to the Honor of this Colony: That the publick Spirits which have so long exhibited our military Affairs in a distinguished Light from those of the neighbouring Provinces, and the ready Attention of this House to redress the Grievances of the Memorialists, give them room to hope that, still actuated by the same noble Motives, this House will form some Establishment for their future Support, that the Blessings of Peace



Peace which they have been instrumental in procuring to many of their Fellow Subjects, they may in some Measure participate of themselves; or in Case the unprecedented Perfidy of the *Cherokees* should protract the War, in that Event, such a Provision would create the strongest Incitement in generous Minds (*viz.* Gratitude) to the utmost Exertion of their Abilities in the Execution of such ulterior Operations as may be judged most efficacious for re-establishing the Tranquility, and supporting the Honor, Interest and Security of this Colony: And praying that this House will take this Affair into Consideration.

*Ordered*, That the said Memorial be referred to the Consideration of the next Session of Assembly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday, the 8th of March, 33 Geo. II. 1760.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

<sup>21</sup> A *Petition* of *William Hunter*, Printer, praying that his Salary as Printer to this House may be continued, was presented to the House and read.

*Resolved*, That the Sum of £350 per Annum be allowed to *William Hunter*, Printer, to continue to the End of the next Session of Assembly, as a full Consideration for printing the Journals of the House of Burgesses, printing the Laws of each Session, and sending 13 of them to every County Court Clerk, one of which to be Half-bound for the use of the Court; printing Inspectors Notes, and Books, Proclamations, and other publick Advertisements.

*Ordered*, That the said Resolve be engrossed, and that Mr *Bland* do carry it to the Council for their Concurrence.

A *Petition* of *Samuel Galt*, Keeper of the publick Goal, praying that the usual Allowance for maintaining Criminals committed to the said Goal may still be continued, was presented to the House and read.

*Resolved*, That the additional Sum of £15 be paid to the said *Samuel Galt* for every Year, over and above his usual Salary of £25.

<sup>22</sup> *Resolved*, That 10 lbs, of Tobacco per Day be allowed the said *Samuel Galt* for every Criminal committed to the said Goal, during such Criminals Imprisonment, from this Time to the End of the next Session of Assembly.

A *Bill* For granting the Sum of £20,000 for the farther Security and Protection of this Colony, was read a second Time, and ordered to be committed to a Committee of the whole House, immediately.

The House accordingly resolved itself into a Committee upon the said Bill; and, after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their Consideration, and had made several Amendments thereto, which he read in his Place, and then delivered in at the Table, where they were again twice read and agreed to.

<sup>23</sup> *Ordered*, That the Bill, with the Amendments, be engrossed, and read a third Time. The Order of the Day being read,

The House resolved itself into a Committee upon the Bill, To explain and amend an Act, intituled, *An Act for establishing a Trade with the Indians in Alliance with his Majesty*, and, after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their Consideration, but had made no Amendments thereto.

And the *Question* being put, that the said Bill be ingrossed, and read a third Time, It passed in the Negative.

*Resolved*,



*Resolved*, That the said Bill be rejected.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill, For directing the Trustees of the Indian Factory of Virginia to sell the Goods, imported by them, and to pay the money arising by such Sale into the Treasury, for the use of the Publick; and it is referred to Mr Bland, to prepare and bring in the same.

A *Petition* of James Barbour, complaining of an undue Election and Return of Mr Henry Pendleton to serve as a Burgess in this present General Assembly for the County of Culpeper, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A *Claim* of William Cockerham, for taking a Runaway therein mentioned, was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Monday. the 10th of March. 33 Geo. II. 1760.

SEVERAL Claims of Gerrard Ridley, James Terry, James Bell, and John Anderson, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

A *Petition* of Clement Norman, praying to be reimbursed by the Public the Sum of five Pounds paid by him to Doctor Parker for attending his Son, who was Shot, and died in the Service of the Publick.

Also a *Petition* of William Peachey, late Colonel of the Frontier Battalion, in Behalf of himself and the Officers lately under his Command, praying that they may be repaid by the Publick for the additional Expences they were at, more than allowed by Law, in raising Recruits for the said Battalion, and marching them through the Country to their Place of Rendezvous.

Also a *Petition* of Christopher Hudson, setting forth, that he was Captain of a Company of Militia on the Frontiers of this Colony, which he was under the Necessity of leaving, to come to Williamsburg for Instructions; in which, and other publick Services, he was detained from his Command a Month, for which Reason the Commissioners appointed to settle the Militia Accounts refused to allow him his Pay for that Month, and praying the Consideration of the House therein.

Also a *Petition* of sundry Inhabitants of the Parish of Hamilton, in the County of Prince William, praying that that Part of the said Parish, lying below the dividing Line of Prince William, and Fauquier Counties, may be added to the Parish of Dettingen, in order to render their Attendance on Divine Service more easy and convenient.

Also a *Petition* of sundry Inhabitants of the Parish of Cameron, setting forth, that the late Election of Vestrymen for the said Parish was illegal and praying that the same may be dissolved.

Also a *Petition* of John Palmer, praying to be paid by the Publick for a Horse and Bridle impressed into his Majesty's Service and lost.

Also a *Petition* of sundry Inhabitants on Rock Fish River, in the County of Albemarle, setting forth, that the Advantages and Benefits they lately enjoyed in supplying their Families with Fish, which used to go up that River in great Abundance, they are now entirely deprived of, by a Mill built thereon by Allen Howard, which has stopped the Course of the Fish up the said River; and praying that the said Howard may be compelled to cut a Slope in his Mill Dam, for the Passage of Fish.

Also a *Petition* of Dale Carter and Merryman Payne, Inspectors of Tobacco at Davis's Warehouse, in the County of Lancaster, setting forth, that on the 21st of June last the said

faid Warehouse was broke open, and 447 lbs. of Tobacco stolen out of a Crop Hogthead of Colonel *William Tayloe's*, which had been inspected and passed, and which they were obliged to make good, and praying that they may be repaid by the publick; were severally presented to the House, and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

Mr *Bland* presented to the House, according to Order, a Bill, For directing the Trustees of the *Indian Factory of Virginia* to sell the Goods imported by them, and to pay the Money arising by such Sale into the Treasury, for the Use of the Publick; and the same was read the first Time, and ordered to be read a second Time.

An ingrossed Bill, intituled, *An Act for granting the Sum of £20,000 for the farther Security and Protection of this Colony*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

Upon a Motion made,

A Bill For directing the Trustees of the *Indian Factory of Virginia* to sell the Goods imported by them, and to pay the Money arising by such Sale into the Treasury, for the Use of the Publick, was read a second Time.

*Ordered*, That the said Bill be ingrossed, and read a third Time.

Upon a Motion made,

*Ordered*, That the Commissioners appointed by Act of Assembly for examining stating and settling, the Expences of the Soldiers of this Colony, do examine, state and settle, the Accounts of Mr *Thomas Walker* for Provisions furnished by him for the Militia stationed in *Augusta*.

A Petition of *Peter Pelham*, praying that he may have some Allowance for performing on the Organ in the Church in this City during this and the last Session, and keeping the same in Order, was presented to the House and read; and thereupon,

*Resolved*, That the Sum of £20 be paid by the Treasurer of this Colony out of the public Money in his Hands, to Mr *Peter Pelham* for his Trouble in performing on the Organ in the Church in the City of *Williamsburg*, during this and the last Session, and for keeping the same in Order.

*Ordered*, That the said Resolve be ingrossed, and that Mr *Attorney* do carry it up to the Council for their Concurrence.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill, For paying the Burgeesses Wages in Money for this present Session of Assembly; and it is referred to Mr *Pendleton* to prepare and bring in the same.

A Message from the Council by Mr *Walthoe*,

That they have agreed to the Bill, intituled, *An Act for granting the Sum of £20,000 for the farther Security and Protection of this Colony*.

Also to the Resolve for paying William Hunter, Printer to the Publick, a Salary of £350 per Annum.

Mr *Pendleton* presented to the House, according to Order, a Bill, For paying the Burgeesses Wages in Money for this present Session of Assembly; and the same was read the first Time, and ordered to be read a second Time.

An ingrossed Bill, intituled, *An Act for directing the Trustees of the Indian Factory of Virginia to sell the Goods imported by them, and to pay the Money arising by such Sale into the Treasury, for the Use of the Publick*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Bland* do carry up the said Bill to the Council for their Concurrence.

Upon a Motion made,



A *Bill* For paying the Burgeffes Wages in Money for this present Seffion of Affembly, <sup>29</sup> was read a second Time.

*Ordered*, That the faid Bill be ingrossed, and read a third Time.

Upon a *Motion* made,

*Resolved*, That the Sum of £828. 11 be allowed to *Jacob Van Braam*, being due to him for his Pay as a Captain in the Service of this Colony, from the Time of his rendering himself as an Hoftage, and during his Confinement as fuch in *Canada*.

An ingrossed *Bill*, intituled, *An Act for paying the Burgeffes Wages in Money for this present Seffion of Affembly*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pafs.

*Ordered*, That M<sup>r</sup> *Pendleton* do carry up the faid Bill to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That the feveral Sums following be paid to the feveral Officers of the General Affembly, reffpectively.

To <i>John Randolph</i> , Efq. <sup>r</sup> Clerk of the Houfe of Burgeffes. . . . .	£50	
To <i>Nathaniel Walthoe</i> , Efq. <sup>r</sup> Clerk of the General Affembly. . . . .	25	
To the Rev. M <sup>r</sup> <i>William Yates</i> , Chaplain. . . . .	15	
To M <sup>r</sup> <i>Francis Eppes</i> , Serjeant at Arms. . . . .	20	
To M <sup>r</sup> <i>George Davenport</i> , for his Services this Seffion. . . . .	10	
To the Door Keeper of the Council. . . . .	5	
To <i>Thomas Broadrib</i> ,	} Door Keepers to the Houfe, . . . . .	{ 5 <sup>30</sup>
To <i>James Lavie</i> ,		
To <i>Thomas Francis</i> ,		
To <i>James Yeates</i> ,		

*Ordered*, That the faid Refolve be ingrossed, and that M<sup>r</sup> *Richard Henry Lee*, do carry it up to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That the Sum of £50 be paid by the Treafurer of this Colony, out of the publick Money in his Hands, to *Edward Davis*, being the Value of a Negro Slave, belonging to him, condemned and executed for Felony; And that the Sum of £50 be alfo paid, by the faid Treafurer, to *John Thruston*; being the Value of a Negro Slave, belonging to him, who alfo was condemned and executed for Felony; both of which were legally certified to the Seffion of Affembly in *February* 1759, but omitted to be entered in the Book of Claims.

*Ordered*, That the faid Refolve be ingrossed, and that M<sup>r</sup> *Pendleton* do carry it to the Council for their Concurrence.

And then the Houfe adjourned till To-morrow Morning Eleven o'Clock.

## Tuesday. the 11th of March. 33 Geo. II. 1760.

**O**RDERED, That a Committee be appointed to examine the inrolled Bills of the following Perfons, viz., M<sup>r</sup> *William Digges* and M<sup>r</sup> *Wager*.

A *Petition* of *William Tawhan* and others, Part of the Tribe of *Pamunkey* <sup>31</sup> *Indians*, fetting forth, that an Act of Affembly, paffed in *February* 1759, For vefting certain Lands belonging to the *Pamunkey Indians* in Trustees, to be leafed for their Benefit, which the Petitioners represent was obtained at the Solicitations of a few only of thofe *Indians*, without ever confulting the Petitioners on the Subject; and praying that the faid Act may be repealed, was prefented to the Houfe and read.

*Ordered*,



*Ordered, That the said Petition be referred to the Consideration of the next Session of Assembly.*

*A Message from the Council by Mr Walthoe,*

*That they have agreed to the Bill, intituled, An Act to direct the Trustees of the Indian Factory of Virginia to sell the Goods imported by them, and to pay the Money arising by such Sale into the Treasury, for the Use of the Publick.*

*Also a Bill, intituled, An Act for paying the Burgeffes Wages in Money for this present Session of Assembly.*

*And that they have agreed to the Resolve of this House, for paying the Officers Salaries for this present Session of Assembly.*

*Also to the Resolve, for paying the Sum of £50 to Edward Davis and John Thurston each, for their respective Slaves condemned and executed for Felony.*

*And to the Resolve, for paying the Sum of £20 to Peter Pelham, for the Services therein mentioned.*

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*Mr William Digges reported, that the Committee appointed had, according to Order, examined the inrolled Bills, and rectified such Mistakes as were found therein, and that they were truly inrolled.*

*Ordered, That Mr Digges do carry up the inrolled Bills to the Council for their inspection.*

*A Message from the Council by Mr Walthoe.*

*That they have inspected the inrolled Bills, and are satisfied they are truly inrolled.*

*A Message from the Governor by Mr Walthoe.*

*Mr Speaker, and Gentlemen of the House of Burgeffes,*

*The Governor commands the immediate Attendance of this House in the Council Chamber, and that you bring with you such bills and resolves as are ready for his assent.*

*Mr Speaker with the House went up accordingly, and the Governor was pleased to give his assent to the following Bills,\* viz.*

*1. An Act for granting the sum of twenty thousand pounds for the farther security and protection of this colony.*

*2. An Act for directing the trustees of the Indian factory of Virginia, to sell the goods imported by them, and to pay the money arising by such Sale into the Treasury for the Use of the Publick.*

*3. An Act for paying the Burgeffes Wages in Money for this present Session of Assembly.*

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*His Honor likewise gave his Assent to the following Resolves, viz.*

*1. A Resolve for paying William Hunter, Printer to the Publick, a Salary of £350 per Annum.*

*2. A Resolve for paying the Officers Salaries for this present Session of Assembly.*

*3. A Resolve for paying £20 to Peter Pelham, Organist.*

*4. A Resolve for paying the Sum of £50 to Edward Davis and John Thurston each, for their respective Slaves condemned and executed for Felony.*

*And then his Honor closed the Session with the following Speech.*

*Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,*

*I Cannot dismiss you, without returning you Thanks for the Unanimity and Dispatch with which you have conducted the Measure I recommended to you, at the Opening of this Session.*

*The*

\*Hening VII, 347 ff.

*The keeping on Foot a Body of Men to act under the Direction of his Majesty's Commander in Chief in these Parts, during the ensuing Campaign, at a Time when your own Frontiers are free from any Danger from the French, must redound to your Honor, be grateful to his Majesty, and convince the whole World of your unshaken Loyalty, Fidelity, and Attachment, to his Royal Person and Government, at the same Time that it secures to you your own Safety and Tranquillity.*

*I shall now therefore prorogue you, and you are accordingly prorogued, to the First Tuesday in June next.*

# JOURNAL

of the

## HOUSE OF BURGESSES

1760

May Session





# JOURNAL

of the

## HOUSE OF BURGESSES

Monday, the 19th of May, 33 Geo. II. 1760.

A Message from the Governour was delivered by Mr Walthoe.  
Mr Speaker, and Gentlemen of the House of Burgeffes,  
The Governour commands the immediate Attendance of your House in the Council Chamber.

Accordingly Mr Speaker, with the House, went up to attend the Governour;  
And being returned, reported, That he, with the House, had attended the Governour in the Council-Chamber; and that the Governour was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read to the House, and then delivered in at the Table, where it was again read, and is as follows:

Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,  
From my great Desire to give you all the Relaxation from the Attendance on publick Business, which the Exigencies of Government will permit, you may be assured that nothing but a Matter of the most pressing Nature, which would admit of no Delay, could have induced me to call you together again so soon.

I have received Letters from the Honourable William Bull Lieutenant-Governour and  
Commander in Chief of South-Carolina, since the Departure of his Excellency Governour Lyttelton, requesting, in the most urgent Terms, that I would send immediate Assistance to Fort Loudoun; a Fort situated in the Overhill Cherokee Country, consisting of a Garrison of 200 Men, who cannot be relieved from Carolina, and must inevitably fall a Prey to the merciless Indians, unless we can throw in timely Succours to save them: When I considered the distressed Condition of these unhappy Men, and that not only the common Ties of Humanity, but that the Honour of this Colony (which perhaps had too great Share in the Cause of this Rupture) called upon me in the strongest Manner, and demanded this Assistance, I could not hesitate whether I should endeavour to succour them; and when I considered my own Situation, and that I was totally incapacited from affording them the least wished-for Relief, I could not hesitate whether I should summon you to meet, for your Advice and Assistance in this important interesting Affair.

That no Time might be lost, I have already, by a special Messenger, wrote to Governour Dobbs and Mr Bull my Sentiments on this Matter, provided the Colony should enable me to send them any Assistance, the Return of which Messenger I expect every Hour.

I shall immediately lay these Letters before you, and shall only add on this Subject, that I have nothing to ask by the Directions of my Royal Master on this Head, otherwise than by his general Instructions, to defend the Colony from all her Enemies; it is an Affair which concerns ourselves immediately, in the Protection of our own back Settlements.

I have the Pleasure to communicate to you, that Mr Abercrombie informs me, that the  
Proportion.

*Proportion allotted to this Colony out of the £50,000 granted by the Parliament of Great Britain in the Year 1756, for the Use of the Southern Colonies is, by the Report of Lord Loudoun, to be confirmed by the Treasury Board, £32,814, 19. 0-¼, for the Receipt of which he is now furnished with full Powers; and that he has actually in his Hands at present his Majesty's Warrant for £20,546, out of the £200,000 granted by Parliament for the Use of the Colonies in general, for the Services by them respectively performed in the Year 1758, which now stands as a Loan on the Royal Exchequer, at Four and an Half per Centum to be paid out of the Monies raised for the Service of the Year 1759.*

*It would be needless to recommend Dispatch to you, as the Business you meet upon so necessarily implies it.*

Mr *Speaker* also reported, That the Governour had delivered to him, and desired him to lay before the House, two Letters from Lieutenant-Governour *Bull*, of *South-Carolina*, and his Excellency Governour *Dobbs*, of *North-Carolina*, lately come to Hand, mentioned in his Honour's Speech, which he accordingly delivered in at the Table.

And the said *Letters* were read, and ordered to lie on the Table.

*Resolved*, That an Address be presented to the Governour, to return him our Thanks for his Speech: To express our Acknowledgements for the Care and Vigilance with which he conducts the affairs of this Colony; to assure him that we are truly sensible of the Importance of the Matter recommended to us, and that we shall use our utmost Endeavours to avert the Danger with which we are threatened.

*Ordered*, That an Address be drawn up, pursuant to the said Resolutions; and it is referred to Mr *Attorney*, and Mr *Pendleton*, to prepare and bring in the same.

*Resolved*, That this House will take the Governour's Speech into Consideration To-morrow.

*Ordered*, That the Rev. Mr *William Yates* be continued Chaplain to this House, and that he attend to read Prayers every Morning at Ten o'Clock.

*Ordered*, That *Thomas Broadrib*, *James Lavie* and *Thomas Francis*, be continued in their respective Offices of Doorkeepers to this House, and that they give their Attendance accordingly.

A *Petition* of *Nathaniel Hix*, praying to be appointed a Door-Keeper to this House, in the Room of *James Yates*, deceased, was presented to the House and read; and thereupon

*Resolved*, That the said *Nathaniel Hix* be admitted to the said Office, and that he give his Attendance accordingly.

Several *Petitions* of *Thomas Withers*, *Julius Kirk* and *Peter Meace*, respectively, praying that they may be admitted to the said Office of Door-Keepers, were severally presented to the House and read; and the Question being severally put upon the said *Petitions*,

It passed in the Negative.

*Resolved*, That the said *Petitions* be rejected.

*And then the House adjourned till To-Morrow Morning Eleven o'Clock*

## Tuesday, the 20th of May. 33 Geo. II. 1760.

A *Member* returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

*Ordered*, That an Address be made to the Governour, to order a new Writ to issue for the electing a Burgess to serve in this present General-Assembly for the County of *Amelia*, in the Room of Mr *Richard Booker*, deceased; and that Mr *Edmund Booker*, do wait upon him with the said Address.



Mr Attorney reported that the Committee appointed had, according to Order, prepared an Address to the Governour; which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to, and is as follows:

Sir,

*We his Majesty's most dutiful and loyal Subjects, the Burgeesses of Virginia, now met in General-Assembly, return you our Thanks for your kind Speech, at the Opening of this Session. Permit us, Sir, at the same Time, to make those acknowledgements which Gratitude demands of us, for the Care and Vigilance with which you conduct the affairs of this Colony.*

*We are truly sensible of the Importance of the Matter your Honour has been pleased to recommend to us: The Destruction of Fort Loudoun in the Cherokee Nation, and of the Garrison therein, and the Danger that threatens our Frontier-Settlements, on such an Event, Humanity, Honour, and our Interests, equally oblige us to prevent; you may, therefore, be assured we shall use every Effort which the Circumstances of this unhappy Case will admit of, reposing an entire Confidence in you, that our Endeavours will be directed by your Prudence, in such a Manner as is most likely to obtain the wished-for Success.*

Ordered, That the said Address be fairly transcribed, and presented by the whole House.

Ordered, That the Committee who prepared the same wait on the Governour, to know his Pleasure when this House shall attend his Honour to present it.

The Order of the Day being read, for the House to take into their Consideration the Governour's Speech;

Resolved, That this House will resolve itself into a Committee upon the said Speech.

Ordered, That the several Letters Yesterday laid before the House, by the Governour's Direction, be referred to the Consideration of the said Committee.

Then the House resolved itself into a Committee upon the said Speech and Letters; and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Attorney reported that the Committee had had the said Speech and Letters under their Consideration and had come to two Resolutions thereupon, which he read in his Place and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follows:

Resolved, That 200 Men be raised, to be joined with the 300 formerly directed to be stationed on the Frontiers, to be sent to the Relief of Fort Loudoun.

Resolved, That a Sum not exceeding £15,000 be raised for raising, paying and subsisting, the said Forces, and supplying the Garrison at Fort Loudoun with Provisions.

Upon a Motion made,

Resolved, That this House will immediately resolve itself into a Committee, to consider of Ways and Means for raising the Sum of £15,000, pursuant to the above-mentioned Resolution.

The House accordingly resolved itself into the said Committee; and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Attorney reported that the Committee had had that Matter under their Consideration, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, as follows:

Resolved, That the Sum of £15,000 to be raised, be raised by a Tax of one Shilling on every Hundred Acres of Land, and two Shillings on every tithable Person in this Colony, in the Year 1769.

Ordered, That a Bill or Bills be brought in, pursuant to the several Resolutions before-mentioned; and it is referred to Mr Attorney, Mr Randolph, Mr Pendleton, Mr Nicholas, Mr Harrison and Mr Richard Henry Lee, to prepare and bring in the same.

Upon a Motion made,

Ordered, That an Address be made to his Honour the Governour, to desire he will please to lay before the House the several Letters he has received from General Amherst,  
General

General *Monckton* and Colonel *Byrd*, since the last Session of a Assembly; as also Copies of his Letters, since that Time, to the Governour of *South-Carolina*; and that Mr *Randolph* do wait on him with the said Addrefs.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Wednesday, the 21st of May, 33 Geo. II. 1760.

MR. Attorney reported that the Committee appointed had, according to Order, waited on the Governour to know his Pleasure when this House should attend him with their Addrefs; and that he was pleased to appoint this Day, and to say he would signify by a Message to the House when he was ready to receive it.

A *Petition* of fundry Inhabitants of the Parish of *Albemarle*, in the County of *Suffex*, complaining of illegal Proceedings of the Vestry of the said Parish, and praying the same may be dissolved.

Also a *Petition* of *Elizabeth Burk*, praying to be allowed by the Publick for three Beeves furnished by her for the Militia, which the Commissioners for that County omitted to certify in their Accounts; were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

Several *Claims* of *Abraham Womack* and *Thomas Garner*, for taking up Runaway Slaves, were presented to the House and received, and referred to the Consideration of the next Session of Assembly.

Upon a *Motion* made,

Ordered, That it be an Instruction to the Committee appointed to prepare the Bill for raising the Sum of £15,000, pursuant to the several Resolutions of the Committee Yesterday agreed to by the House, that they receive a Clause or Clauses to empower the Treasurer of this Colony to issue and emit Treasury-Notes to the Amount of that Sum.

Mr Attorney, from the Committee appointed, presented to the House, according to Order, a Bill For raising the Sum of £15,000 for the Relief of the Garrison of Fort *Lou-don* in the *Cherokee* Country; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *William Peachy*, Esq; late Colonel of the Frontier-Battalion, setting forth, That he advanced considerable Sums of Money for the Publick Service, and was at many unavoidable Expences during his said Command, for which he hath not received any Satisfaction, and praying that he may be reimbursed by the Publick, was presented to the House and read,

Ordered, That the said *Petition* be referred to Mr *Nicholas*, Mr Attorney, Mr *Braxton*, and Mr *Christian*; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

Upon a *Motion* made,

Ordered, That all such Propositions and Claims as were referred from the last to this Session of Assembly, and also all such Claims and Propositions as shall be certified to this, be referred to the Consideration of the next Session of Assembly.

Mr *Randolph*, reported that he had, according to Order, waited on the Governour with the Addrefs of this House, desiring he would please to direct the several Letters he has received from General *Amherst*, General *Monckton*, and Colonel *Byrd*, since the last Session of Assembly, as also Copies of his Letters to the Governours of *North* and *South-Carolina*, to be laid before the House; to which his Honour was pleased to answer, he would order them to be laid before the House this Day.

A Message from the Governour was delivered by Mr *Walthoe*.

Mr Speaker and Gentlemen of the House of Burgeffes.

I am commanded by the Governour to acquaint this House that his Honour is now ready to receive their Addrefs in the Council-Chamber.

Accordingly



11 Accordingly Mr *Speaker*, with the House, went up; and being returned reported, that he, with the House, had attended the Governour in the Council-Chamber, and presented the Address of this House to him, to which he was pleased to return the following Answer:

*Mr Speaker, and Gentlemen of the House of Burgeffes,*

*I return you my sincere Thanks for your Affectionate Address; and you may be assured, that (as the Approbation of Mankind is the great Source of my Happiness) I shall use the utmost Caution, that my future Conduct may never give you Cause to withdraw any Degree of Confidence you may place in me.*

*A Message from the Governour by Mr Walthoe.*

*Mr Speaker and Gentlemen of the House of Burgeffes,*

*The Governour has commanded me to deliver to your House the several Letters he has been addressed to lay before you.*

*And the said Letters were read and ordered to lie on the Table.*

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Thursday. the 22d of May. 33 Geo. II. 1760.

SEVERAL Claims of William Farrow, Hudson Brown, Philip Carberry and Thomas Marshal, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly.

A Bill For raising the Sum of £15,000 for the Relief of the Garrison at Fort Loudoun in the Cherokee Country, was read a second Time, and ordered to be committed to a Committee of the whole House immediately.

12 The House accordingly resolved itself into a Committee upon the said Bill; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Attorney* reported that the Committee had had the said Bill under their Consideration, and made several Amendments thereto, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, with some Amendments.

*Ordered*, That the Bill with the Amendments, as amended, be ingrossed, and read a third Time.

Upon a Motion made,

*Ordered*, That Leave be given to bring in a Bill To revive the Act for preventing Mutiny and Desertion, and it is referred to Mr *Pendleton* and Mr *Attorney* to prepare and bring in the same.

A Petition of Edward Hubbard, and James Gunn, setting forth, That they being appointed Captains in the late Frontier-Battalion, were with their respective Companies detached from the said Battalion to act as Artificers, under the Command of General Stanwix; in which Service they were employed, and suffered great Hardships, from the 23<sup>d</sup> of June till the 10<sup>th</sup> of December last, without receiving any other Satisfaction than the ordinary Pay: And praying the Consideration of the House, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

A Petition of William Hunter, Printer, praying that his Salary as Printer to the Publick, which will expire at the End of this Session of Assembly, may be farther continued, was presented to the House and read, and thereupon

*Resolved*, That the Sum of £350 per Annum be allowed to William Hunter, Printer; to continue to the End of the next Session of Assembly, as a full Compensation for printing the Journals of the House of Burgeffes, printing the Laws of each Session; and  
sending



fending 13 of them to every County-Court Clerk, one of which to be Half-bound for the use of the Court; printing Inspectors Notes, and Books, Proclamations, and other publick Advertisements.

*Ordered*, That the said Resolve be ingrossed, and that Mr *Bland*, do carry it up to the Council for their Concurrence.

A *Petition* of *Samuel Galt*, Keeper of the publick Goal, praying that the usual Allowance for maintaining the Criminals committed to the said Goal, which will expire at the End of this Session of Assembly, may be still continued, was presented to the House and read, and thereupon

*Resolved*, That the additional Sum of £15 be paid to the said *Samuel Galt* every Year, over and above his usual Salary of £25.

*Resolved*, That 10 lbs. of Tobacco per Day be allowed the said *Samuel Galt* for every Criminal committed to the said Goal, during such Criminals Imprisonment, from this Time to the End of the next Session of Assembly.

Mr *Pendleton*, from the Committee appointed, presented to the House, according to Order, a Bill For reviving and farther continuing the several Acts of Assembly of this Colony for preventing Mutiny and Disertion, and for other purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of fundry Freeholders, House-Keepers, and other Inhabitants, of the Counties of *King William*, *King* and *Queen*, *Hanover*, and *Caroline*, on or near the Rivers *Pamunkey* and *Matapony*, praying that they may be allowed to make Hedges or Stops in the said Rivers for catching Fish, was presented to the House; and the Question being put that the said Petition be received,

It passed in the Negative.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For paying the Burgeffes Wages for this present Session of Assembly; and it is referred to Mr *Cary* to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Friday, the 23rd of May. 33 Geo. II. 1760.

A ingrossed *Bill*, intituled, *An Act for raising the Sum of £32,000 for the Relief of the Garrison at Fort Londoun, in the Cherokee Country*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Attorney* do carry up the said *Bill* to the Council for their Concurrence.

Mr *Cary* presented to the House, according to Order, a Bill For paying the Burgeffes Wages for this present Session of Assembly; and the same was read the first Time, and ordered to be read a second Time.

A *Bill* For reviving and farther continuing the several Acts of Assembly of this Colony for preventing Mutiny and Desertion, and for other Purposes therein mentioned, was read a second Time.

*Ordered*, That the said *Bill* be ingrossed, and read a third Time.

Mr *Nicholas* reported, that the Committee to whom the *Petition* of *William Peachy*, late Colonel of the Frontier-Battalion, was referred, had had the same, together with the Accounts thereto-annexed, under their Consideration and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee, that the Article of £32, 5s. for an Horse killed in the Service is unreasonable, and that he ought to be allowed the Sum of £10 only for the said Horse.

*Resolved*,

15 *Resolved*, That it is the Opinion of this Committee, That the Article of fundry unavoidable Expences, as Commandant of the Frontier-Battalion, amounting to £83, 6, 8 is unreasonable and ought to be rejected.

*Resolved*, That it is the Opinion of this Committee, that the several other Articles of the said Account are reasonable, and that the same ought to be paid by the Publick, as follows,\* *viz.*

For Bat-horse and Ferriage Money, as Lieutenant Colonel,.....£55.

For his Expences from *Augusta* Court-House and back again, on a Recruiting-Party,..... 12.09.

For extraordinary Expences in recruiting, being reduced to 15s. per Man.....4.4.4½

For his Expences in attending twice in *Williamfburg*, and settling the Accounts of the Battalion, when out of Pay, 36 Days,..... 27

The *First* Resolution being read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

The *two* other Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That it be an Instruction to the Commissioners, appointed by Act of Assembly for examining and settling the Accounts of the Forces in the Service of this Colony, that they make an Allowance in their Accounts of the several Sums mentioned in the last above-mentioned Resolution.

Upon a *Motion* made,

A *Bill* For paying the Burgeffes Wages for this present Session of Assembly, was read a second Time.

*Ordered*, That the said Bill be ingrossed, and read a third Time.

16 An ingrossed *Bill*, intituled, *An Act for reviving and farther continuing the several Acts of Assembly of this Colony for preventing Mutiny and Desertion, and for other Purposes therein mentioned*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Pendleton* do carry up the said Bill to the Council for their Concurrence.

An ingrossed *Bill*, intituled, *An Act for paying the Burgeffes Wages for this present Session of Assembly*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Cary* do carry up the said Bill to the Council for their Concurrence.

Upon a *Motion* made,

*Resolved*, That the several Sums following be paid to the several Officers of the General-Assembly, respectively:

To <i>John Randolph</i> , Esq; Clerk of the House of Burgeffes,.....	£50	
To <i>Nathaniel Walthoe</i> , Esq; Clerk of the General-Assembly,.....	25	
To the Rev. Mr <i>William Yates</i> , Chaplain,.....	15	
To Mr <i>Francis Eppes</i> , Serjeant at Arms.....	20	
To Mr <i>George Davenport</i> , for his Services this Seffion.....	10	
To the Door-Keeper of the Council.....	5	
To <i>Thomas Broadrib</i> ,	} Door-Keepers to the House..... {	5
To <i>James Lavie</i> ,		5
To <i>Thomas Francis</i> ,		5
To <i>Nathanial Hix</i> ,		5

*Ordered*, That the said Resolve be ingrossed, and that Mr *Bland* do carry it up to the Council for their Concurrence.

A *Message* from the Council by Mr *Walthoe*,

That they have agreed to the Bill, intituled, *An Act for raising the Sum of £32,000 for the Relief of the Garrison at Fort Loudoun in the Cherokee Country.*

Also

\*A bat-horse was a horse for carrying baggage.



*Also to the Refolve, For paying the Officers Salaries for this present Sefſion of Affembly. 17*  
*Also to the Refolve for paying William Hunter, Printer to the Publick, a Salary of*  
*£350 per Annum.*

*A Meſſage from the Council by Mr Walthoe,*

*That they have agreed to the Bill, intituled, An Act for reviving and farther continuing the ſeveral Acts of Affembly of this Colony for preventing Mutiny and Deſertion, and for other purpoſes therein-mentioned.*

*Also to the Bill, intituled, An Act for paying the Burgeſſes Wages for this preſent Sefſion of Affembly.*

*Ordered, That a Committee be appointed to examine the inrolled Bills of the following Perſons, viz. Mr Fleming, Mr Cary and Mr Cabell.*

*And then the Houſe adjourned till To-morrow morning Eleven o'Clock.*

## Saturday, the 24th of May. 33 Geo. II. 1760.

**M**R Fleming reported, that the Committee appointed had, according to Order examined the inrolled Bills, and rectified ſuch Miſtakes as were found therein, and that they were truly inrolled.

*Ordered, That Mr Fleming do carry up the inrolled Bills to the Council for their Inſpection.*

*A Claim of George Radford, for taking up a Runaway Servant therein-named, was preſented to the Houſe and received, and referred to the Conſideration of the next Sefſion of Affembly.*

*A Petition of Bolling Stark, Executor of Baxter Davis, deceased; praying to be allowed the Value of a Slave, lately belonging to the Eſtate of the ſaid Deceased, which was condemned and Executed for Felony, and omitted to be allowed in the laſt publick Levy, was preſented to the Houſe and received.*

*Ordered, That the ſaid Petition be referred to the Conſideration of the next Sefſion 18*  
*of Affembly.*

*A Meſſage from the Council by Mr Walthoe,*

*That they have inſpected the inrolled Bills, and are ſatiſfied they are truly inrolled.*

*A Meſſage from the Governour was delivered by Mr Walthoe,*

*Mr Speaker, and Gentlemen of the Houſe of Burgeſſes,*

*The Governour commands your immediate Attendance in the Council-Chamber, and that you bring with you ſuch Bills and Reſolves as are ready for his Affent.*

*Mr Speaker with the Houſe went up accordingly, and the Governour was pleaſed to give his Affent to the following Bills,\* viz.*

*1. An Act for raiſing the Sum of £32,000 for the Relief of the Garriſon of Fort Loudoun, in the Cherokee Country.*

*2. An Act for reviving and farther continuing the ſeveral Acts of Affembly of this Colony for preventing Mutiny and Deſertion, and for other Purpoſes therein-mentioned.*

*3. An Act for paying the Burgeſſes Wages for this preſent Sefſion of Affembly.*

*His Honour likewiſe gave his Affent to the following Reſolves, viz.*

*1. A Reſolve, For paying the Officers Salaries for this preſent Sefſion of Affembly.*

*2. A Reſolve, For paying William Hunter, Printer to the Publick, a Salary of £350 per Annum.*

*And then his Honour cloſed the Sefſion with the following Speech:*

*Gentlemen*



*Gentlemen of the Council, M<sup>r</sup> Speaker, and Gentlemen of the House of Burgeffes,*

*I Have most earnestly wished that the Messenger which I sent to Governour Dobbs would have returned in Time, for me to have acquainted you with the Proceedings of the*  
 19 *Assembly of North-Carolina in relation to the Relief of Fort Loudoun; but as you have already dispatched the Business you met upon, and have so liberally and nobly undertaken the Defence of the Distressed, I will not longer detain you from your Families and private Affairs, I cannot dismiss you, without expressing my Approbation of the generous Motives which have induced you to exert your-selves on this melancholy Occasion; and of assuring you that I will, with all imaginable Affiduity, endeavour to give Success to your Efforts; but the Time is short, and the Task is arduous: Two Extremes lye before me; the uselessly expending the Money raised, which may be deemed Inactivity; and the sacrificing the Lives of Men, which may be called Rashness: These shall not deter me from attempting my utmost; and while I act with Integrity of Heart, which is in my Power, I rely on your Candour to excuse all Defects of the Head, which are not in my Power, should my Endeavours prove unsuccesfful.*

*I now prorogue you, and you are accordingly prorogued, to the first Tuesday in August next.*



# JOURNAL

of the

## HOUSE OF BURGESSES

1760

October Session





# JOURNAL

of the

## HOUSE OF BURGESSES

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Monday, the 6th of October, 34 Geo. II. 1760.

**A** Message from the Governour was delivered by Mr Walthoe.  
Mr Speaker, and Gentlemen of the House of Burgesfes,

*The Governour commands the immediate Attendance of your House in the Council Chamber.*

Accordingly Mr Speaker, with the House, went up to attend the Governour in the Council Chamber; and that the Governour was pleased to make a Speech to the Council and this House, of which he had (to prevent Mistakes) obtained a Copy, which he read in his Place, and afterwards delivered in at the Table, where it was again read, and is as follows:

*Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgesfes,*

*I Have called you together at this Time, that you might take into your Consideration the present State of the Forces now in the Pay of this Colony, and to inform you that the Money raised for the support of the old Part of the Regiment, will not be sufficient to pay the Men for the Time they stand provided for by Law; And I have farther to inform you, that Brigadier-General Monckton, has by a Letter (which I shall lay before you) desired to be assisted with 300 of our Men to help to garrison and maintain the Posts which we have in the course of this successful War taken from the French.*

*It is with the greatest Satisfaction possible, I can congratulate you on the Arrival of that long wished for Period of Time, when our Forces in those Parts find no other Employment; for by the Conduct and Vigour of our Governour Major-General Amherst, the War is gloriously brought to a happy End, by the Reduction of all Canada, to an entire Submission and Obedience to his Majesty.*

*I shall leave it with you to consider, whether, after the Bounties we have actually received from the British Parliament, you will, for the Sake of the Pay of a few Men, for a few Months, retire from the Service at the last.*

*It is with great Concern I must acquaint you, that your Expectations are by no Means answered, nor the End proposed effected, by the large Sum of Money you so generously and nobly gave to raise Men, and purchase Provisions for the Relief of the unhappy Garrison of Fort Loudoun: Unhappy indeed! for the Garrison capitulated but they capitulated with Savages; the Capitulation was immediately most perfidiously broke, and those miserable Men who escaped the Sword, are at this Instant Prisoners in the Hands of our merciless Enemies. Several unforeseen Difficulties and Obstacles delayed the March of our Men, and here the Hand of Providence seems remarkably to have protected us; for it was impossible or our little Army to have reached the Fort before the Capitulation was signed; And, had no Delays obstructed their March, they would have been in the Heart of the Enemies Country, before we had heard of Col. Montgomery's Retreat from the Lower Towns, by which the whole Force of the Cherokee Nation might, and probably would have been, employed to intercept our Convoy; the Consequence of which is obvious to us all. A late Letter from the*  
the

the Hon. Col. Byrd, will fully inform you of the State of Affairs now transacting between himself and those Indians.

*Mr Abercrombie writes me, that on his Bond given to the Treasury Board for the Payment of the Money according to the Directions of the Colony, he has received at the Exchequer the Sum of £32,268. 19. 0 out of the £50,000 granted by Parliament, for the Use of the Southern Colonies, and the farther Sum of £20,546 out of the £200,000 granted for the Use of the Colonies in general for the Services by them respectively performed in the Year 1758, and that he waits for proper Powers and Orders how to dispose of this Money agreeable to the Conditions of the Bond he entered into: All which Letters and Papers I shall immediately lay before you.*

*It is my Duty to inform you, that I have received an Order from his Majesty in Council dated August 10<sup>th</sup>, 1759, to repeal the four following Acts, viz.*

*An Act for paying the Ministers of the Parishes of Frederick, in the County of Frederick; and of Augusta, in the County of Augusta; and of Hampshire, in the County of Hampshire; One Hundred Pounds annually, instead of the Salaries now allowed.—Passed in 1753.*

*An Act for enabling the Inhabitants of the Counties of Princess Anne and Norfolk to pay their publick Dues in Money.—Passed in 1755.*

*An Act to enable the Inhabitants of this Colony, to discharge their Tobacco Debts in Money for this present Year.—Passed in 1755.*

*An Act to enable the Inhabitants of this Colony to discharge their publick Dues, Officers Fees, and other Tobacco Debts, in Money for the present Year.—Passed in 1758.*

*And that I have also received two other Orders of his Majesty in Council, dated 20<sup>th</sup> of May, 1760, to repeal the three following private Acts, viz.*

*An Act for vesting certain Lands therein mentioned in Philip Johnson, Gentleman, adding the same to the City of Williamsburg, and for other Purposes therein mentioned.—Passed in October, 1758.*

*An Act for vesting certain Lands, in the County of Hanover, in Philip Whitehead Claiborne, Gentleman, in Fee Simple, and for other Purposes therein mentioned.—Passed in April, 1759.*

*An Act to enable the Executors of the Will of John Spotswood, Esq; to pay the Debts and Legacies due from the Estate of Major-General Alexander Spotswood, and for other Purposes therein mentioned.—Passed April, 1759. For reasons apparent in the Order leading to the said Order of Repeal. And I have his Majesty's directions to notify to you, that out of his great and wonted Goodness, he allows the Legislature to re-enact the same Laws, provided they are conformable to the Rules laid down in his Royal Instructions. The Disallowance and Repeal of all these Acts, I have published by Proclamation in the Gazette, according to the usual Forms of Government.—I am also directed to recommend to you an Amendment and Alteration in the Act for appointing an Agent, and I am farther to inform you, that the Act is in general thought just and reasonable, but that it cannot be allowed until the said Alteration be made in it.*

*I have likewise had the Honour to receive from his Majesty an additional Instruction, to enforce a former Instruction relative to my passing the Bills offered for my Assent. I need not represent to you, that it is my indispensable Duty, as well as my Inclination, to pay an implicit Obedience to all Instructions which his Majesty has or shall favour me with in regard to my Conduct in the Affairs of Government; And as I find I have inadvertently fallen into some Errours, in giving my Assent to these private Acts, which are not according to the Forms prescribed, I think it the Part of a candid honest Man, to apprise you, that I shall strictly adhere to all his Majesty's Royal Instructions. Therefore, as it will be a very unpleasing and grating Talk to me to refuse any Bill, which you shall think expedient for the Benefit and Service of this Colony (the Welfare of which I have greatly at Heart) or for the Advantage and Ease of Individuals (who justly merit my Esteem and*

*Regard)*



*Regard) I recommend it to you in the most earnest Manner, thall all Bills offered me for my Assent may be in every Instance conformable to the Rules prescribed in the Royal Instructions and Orders; the Contents of which I shall, at all Times, be ready to communicate to you, on proper Application.*

*Mr Speaker, and Gentlemen of the House of Burgeffes.*

*The little I have asked of you, I hope will be chearfully given; and I am confident that you will take the easiest Method for the Subject, in raising that little. Possibly I shall have no Occasion to ask more from you for the Remainder of my Life, or my Residence with you: With Satisfaction shall I then meet you to prepare such Laws as shall be judged necessary to promote the Interest of this Colony, and to adjust the common Occurences incident to every Community.*

<sup>6</sup> *Gentlemen of the Council, and of the House of Burgeffes,*

*If I knew at what Season of the Year it would be most convenient for you to attend to the Business of the Country, which must naturally occasion a long Session, I would convene you at that Time; but as I am ignorant of your Avocations, I shall leave it entirely to your own Determination, whether you will now enter into that Business, or defer it until the Spring. I think proper to premise thus much, that if you should judge it advisable to engage in it, during this Session, I shall think it expedient to adjourn you for some Time, during the Hurry of Business in the General Court; that the Suitors for Justices in that Court may not receive any Impediment or Delay in their obtaining it, from the Absence of their Counsel; or the Country suffer from the Non-Attendance of some of the most useful Members of the Legislature.*

*Mr Speaker* also reported, that the Governor had delivered to him, several Letters, from General Monckton and Mr Abercrombie; mentioned in his Speech, which he had desired him to lay before the House.

And the said Letters were read, and ordered to lie on the Table.

*Resolved*, That an humble Address be presented to his Honour the Governour, to return him the Thanks of this House for his affectionate Speech at the Opening of this Session; to congratulate him upon the signal Success that has attended his Majesty's Arms, under the Command of his Excellency General Amherst; to assure him that we shall take the Matters, referred to us by his Honour, under our immediate Consideration; and that we view the near Approach of Peace with double Pleasure, as it opens a Prospect of Relief from the Distresses of a long and burthenfome War; and we have the greatest Reason to expect a full Enjoyment of its Blessings, under his wise and benevolent Administration.

*Ordered*, That a Committee be appointed to draw up an Address to the Governour, pursuant to the said Resolution; and it is referred to Mr Attorney and Mr Bland to prepare and bring in the same.

A Member returned upon a new Writ, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also subscribed the Test, was admitted to his Place in the House.

<sup>7</sup> *Resolved*, That the House will take the Governour's Speech into Consideration To-morrow.

*Ordered*, That the Rev. Mr William Yates be continued Chaplain to this House, and that he attend to read Prayers every Morning at Ten o'Clock.

*Ordered*, That the several Door Keepers be continued in their respective Offices, and that they give their Attendance accordingly.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

**Tuesday.**

**Tuesday, the 7th of October, 34 Geo. II. 1760.**

**A** Message from the Governour was delivered by Mr Walthoe.

Mr Speaker,

*The Governour has commanded me to lay before your House the Letter from the Hon. Colonel Byrd, mentioned in his Speech.*

And the said Letter together with a Copy of the Colonel's Talk lately sent to the Headmen and Warriours of the *Cherokee Indians*, therein inclosed, were read, and ordered to lie on the Table.

A Message from the Council by Mr Walthoes,

*That two Letters from Edward Montague, Esquire, the Agent for this Colony, had been laid before the Council by the Committee of Correspondence, and by them were referred to the Consideration of this House.*

And the said Letters were read, and ordered to lie on the Table.

A Petition of Charles Lewis the Elder, of the County of Goochland, setting forth, That he is seized in Fee Tail of a Tract of Land in New Kent County, containing 1300 Acres, and that he is seized in Fee of a Tract on Tye River, in Albemarle, containing 1850 Acres, and that it will be to the Advantage of him, and his Posterity, to dock the Intail of the said Land in New Kent, and to settle the said Land in Goochland, being more in Quantity, and of much greater Value, to the same Uses; and praying that an Act may pass for that Purpose, was presented to the House and read.

Ordered, That a Bill be brought in, pursuant to the Prayer of the said Petition; and it is referred to Mr Pendleton to prepare and bring in the same.

Several Claims of William Smith, Robert Warren, Julius Scruggs, Joseph Pond Edwin Waddill and John Poindexter, jointly; Richmond Allen, William Smith, Assignee of John Groat, Charles Morris, George Monroe, William Bennett, for taking up Runaways, therein mentioned; were severally presented to the House and received, and ordered to lie on the Table.

The Order of the Day being read, for the House to take into their Consideration the Governour's Speech.

Resolved, That this House will resolve itself into a Committee upon the said Speech. <sup>s</sup>

Ordered, That the several Letters laid before the House Yesterday and this Day, by Command of his Honour the Governour, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee upon the said Speech and Letters; and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Charles Carter reported, that the Committee had had the said Speech and Letters under their Consideration, but not having Time to go through the same, they had desired him to move for Leave to sit again.

Resolved, That this House will again resolve itself into a Committee, upon the said Speech and Letters, To-morrow.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

**Wednesday, the 8th of October, 34 Geo. II. 1760.**

**S**EVERAL Claims of William Davis, Petus Ragland, Robert White, Edward Waller, Samuel Snead, James Green, Thomas Machon, Thomas Scarbrough, James Monday, Joshua Pretlow, Philip Gatewood and John Croxton, for taking up Runaways, therein mentioned; were severally presented to the House and read, and ordered to lie on the Table.

Upon a Motion made,

Ordered,



*Ordered*, That an Address be made to the Governour, to order a new Writ to issue for the electing a Burgefs to serve in this present General Affembly for the County of *Orange*, in the Room of Mr *William Taliaferro*, who since his Election hath accepted of the Office of Coroner of the said County, and that Mr *Edmund Pendleton* do wait upon him with the said Address.

Mr *Edmund Pendleton* presented to the House, according to Order, a Bill To dock the Entail of certain Lands whereof *Charles Lewis* Gentleman is seized, and for settling other Lands of greater Value to the same Uses; and the same was read the first Time and ordered to be read a second Time.

Mr *Attorney* reported that the Committee had, according to Order, prepared an Address to the Governour; which he read in his Place and then delivered in at the Table, where the same was again twice read, and agreed to by the House, and is as follows:

Sir,

*We, his Majesty's most dutiful and loyal Subjects, the Burgeffes of Virginia, return your Honour our hearty Thanks, for your affectionate Speech, at the Opening of this Session.*

*We sincerely participate with you, Sir, in the general Joy, which, the Reduction of all Canada, to an entire Obedience to his Majesty, must give his faithful Subjects; an Event that reflects an additional Lustre on his Majesty's Arms, and adds to the Reputation of Major-General Amherst our Governour, by whose Conduct and Vigour this glorious Conquest was happily accomplished. The tender and compassionate Treatment shewn to the Inhabitants of that Country, whose cruelty in their Day of Triumph, gave them no Reason to expect it, will be a lasting Monument, to all Ages, and Nations, of the Humanity of Britons and the Wisdom Justice and Lenity of his Majesty's Government.*

*The near approach of Peace gives us double Pleasure, as we shall thereby be relieved from the Distresses of a long and burthensome War, and enjoy the Blessings of it, under an Administration directed by Prudence and Benevolence.*

*We will take the several Matters recommended to us, by your Honour, under our immediate Consideration, and you may be assured, Sir, we will persevere in our Duty to his Majesty, and a steady Adherence to the true Interest of our Country.*

*Ordered*, That the said Address be fairly transcribed, and presented by the whole House; and that the Committee who prepared the same wait on the Governour, to know his Pleasure when this House shall attend his Honour to present it.

The Order of the Day being read,

The House again resolved itself into a Committee, to take into their further Consideration the Governours Speech and the several Letters to the said Committee referred; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Speech and Letters under their further Consideration, and had come to several Resolutions thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, with some Amendments, as follow:

*Resolved*, That the old Regiment in the Pay of this Colony be recruited to 1000 Men, and continued until the 1<sup>st</sup> Day of *April* next.

*Resolved*, That a Sum not exceeding £20,000 be raised for the recruiting, paying clothing and subsisting, the said Regiment until the said 1<sup>st</sup> Day of *April* next.

*Resolved*, That proper Persons be appointed, and empowered, to receive the several Sums of Money granted by Parliament to this Colony.

*Resolved*, That the Act for appointing an Agent ought to be explained and amended.

Upon a Motion made,

The House immediately resolved itself into a Committee, to consider of Ways and Means for raising the Sum of £20,000, for defraying of the Expence of recruiting, clothing, paying and subsisting, the *Virginia* Regiment until the 1<sup>st</sup> Day of *April* next, pursuant to the above mentioned resolution of the House; and after some Time spent therein,

Mr



Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had that Matter under their Consideration, and had come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, with an Amendment, as follows:

*Resolved*, That the Sum of £20,000 be raised, by Bills of Exchange drawn on *James Abercrombie*, Esquire to be paid out of the Money in his Hands granted by Parliament to this Colony.

*Ordered*, That a Bill or Bills be brought in, pursuant to the several foregoing Resolutions; and it is referred to Mr *Charles Carter*, Mr *Attorney*, Mr *Bland*, Mr *Nicholas*, Mr *Waller*, Mr *Pendleton*, Mr *Richard Henry Lee*, Mr *Wormely*, Mr *Baylor*, Mr *Page*, Mr *Burwell*, Mr *George Johnston*, and Mr *Wythe*, to prepare and bring in the same. 10

A Petition of *William Brumley*, *John Johnston*, *James MacCoy*, *James Lowry*, *Joseph Hughes*, *Daniel Parrot* and *Edward Childs*, setting forth, That they were Soldiers in the *Virginia* Regiment and Prisoners from the Detachment under the Command of Major *Grant* before *Fort Du Quesne* (now *Pittsburg*) and sent to *Old France* where they were confined 21 Months, and afterwards sent to *England*, being exchanged, from whence they are lately returned and praying that they may be allowed the common Pay of Soldiers for the Time of their Absence, being still willing, if required, to continue in his Majesty's Service; was presented to the House and read, and thereupon

*Resolved*, That an Address be presented to his Honour the Governour, to desire that he will be pleased to direct the Paymaster of the *Virginia* Regiment to pay the Petitioners, and all others who shall hereafter appear in the same Circumstances, the common Allowance and Pay of Soldiers, during their Absence in Captivity; and that Mr *Washington* do wait on his Honour with the said Address.

A Petition of *Samuel Galt*, Keeper of the Publick Goal, praying that the usual Allowance for maintaining the Prisoners committed to the said Goal, which will expire at the End of this Session, may be still continued, was presented to the House and read, and thereupon

*Resolved*, That the additional Sum of £15 be paid to the said *Samuel Galt* every Year, over and above his usual Salary of £25.

*Resolved*, That 10 lbs. of Tobacco per Day be allowed the said *Samuel Galt* for every Criminal committed to the said Goal, during such Criminals Imprisonment, from this Time to the End of the next Session of Assembly.

A Bill To dock the Entail of certain Lands whereof *Charles Lewis* Gentleman is seized, and for settling other Lands of greater Value to the same Uses, was read a second Time, and committed to Mr *Pendleton*, Mr *Cary*, Mr *Carrington*, Mr *Smith* and Mr *Walker*.

Upon a Motion made,

*Resolved*, That an humble Address be presented to his Majesty, to congratulate his Majesty on the glorious Success of his Majesty's Arms in *North America*, and humbly to lay before his Majesty the Reasons which induced the General Assembly to pass those Acts that have lately met with his Majesty's Royal Disallowance.

*Ordered*, That Mr *Richard Henry Lee* do go up with a Message to the Council and inform [them] thereof, and desire that they will join with this House therein.

*Ordered*, That Mr *Richard Henry Lee*, Mr *Attorney*, Mr *Pendleton*, Mr *Carter*, Mr *Bland*, Mr *Waller*, Mr *Nicholas*, and Mr *Cary*, be appointed to prepare and bring in the same.

Upon a Motion made,

*Ordered*, That the Committee appointed to correspond with the Agent for this Colony in *Great Britain*, pursuant to an Act of Assembly, *For appointing an Agent*, lay their Proceedings before the House.

Upon a Motion made,

*Ordered*, That an Address be made to his Honour the Governour, to desire that he will be pleased to lay before this House all such Instructions as he may have received from his Majesty relative to his passing such Laws as may be offered for his Assent, and that Mr *Waller* do wait on him with the said Address. 11

And then the House adjourned till To-morrow Morning Eleven o'Clock.

Thursday.

## Thursday, the 9th of October, 34 Geo. II. 1760.

**M**R. Attorney reported, that the Committee appointed had, according to Order, waited on his Honour the Governour, to know his Pleasure when this House should attend him with their Address, and that he was pleased to appoint To-morrow Morning, and to say that he would signify by a Message to the House when he should be ready to receive it.

Mr Pendleton reported, that the Committee to whom the Bill To dock the Entail of certain Lands whereof *Charles Lewis*, Gentleman, is seized, and for settling other Lands of greater Value to the same Uses, was committed, had examined into the Allegations thereof, and found them to be true, and had made several Amendments thereto, which he read in his Place; and then delivered the Bill, with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendments, be ingrossed, and read a third Time.

Upon a *Motion* made,

*Ordered*, That it be an Instruction to the Committee appointed to prepare and bring in a Bill or Bills for raising the Sum of £20,000 pursuant to the several Resolutions of the Committee Yesterday agreed to by the House, that they receive a Clause or Clauses for empowering Justices of the Peace to punish such Persons as formerly enlisted into his Majesty's Service for a limited Time, pursuant to former Acts of Assembly, and after receiving the Bounty given them for enlisting deserted from the Service, and concealed themselves until the Time for which they enlisted expired.

Several *Claims* of *Edmund Jones*, *Francis Terry*, *William Irvin* and *Benjamin Burch*, for taking up Runaways, therein mentioned; were severally presented to the House and received, and ordered to lie on the Table.

A *Petition* of *Joseph Stewart* and *Michael Robinson*, Inspectors at *Royston's* Warehouse, praying an additional Allowance in Consideration of the Increase of their Buifness.

Also a *Petition* of fundry Inhabitants of the Town of *Winchester*, praying that an Act may pass to prevent Hogs running at large in the said Town.

Also a *Petition* of fundry Traders and Inhabitants of this Colony, complaining of the great Disadvantages to which the Trade of this Colony is subject, by the Practice of  
 12 Pedlars and travelling Merchants, in the Interior Parts of the Country, who import large Quantities of Goods by Land from *Pennsylvania* and *Maryland*, and dispose of them there, and in Return carry away great Sums of our Paper Currency, and all the Gold and Silver they can procure; which they purchase with the Paper at a considerable Discount; also great Quantities of Skins and Furs: And praying the Consideration of this House therein, were severally presented to the House and read, and ordered to lie on the Table.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

## Friday, the 10th of October, 34 Geo. II. 1760.

**A** *Petition* of fundry Inhabitants of the Parish of *Frederick*, in the County of *Frederick*, setting forth, That the said Parish is so large and extensive, that one Minister cannot perform the Duty of his Office; and praying that the said Parish may be divided.

Also a *Petition* of the several Clerks of the Counties of *Augusta*, *Frederick* and *Hampshire*, in Behalf of themselves, and other Officers in the said Counties, setting forth, That by an Act of Assembly, made in the Year 1738, for the better Encouragement of the Settlers on the Frontiers of this Colony, all County and Parish Levies, together with the Petitioners Fees, were directed to be paid in Money, or Tobacco, at three Farthings per Pound; that it being upwards of 22 Years since the said Law passed, they conceive that  
 the



the Intention of it is answered, and the Reason of it ceases, as the said Counties are fully settled, and the Inhabitants thereof grown rich, and better enabled to pay their Dues than most of the other Inhabitants of this Colony; that the Petitioners conceive it an hard Case that they should be distinguished from the Officers in other Counties, by being obliged to do the same Services for Half the Pay: And praying the Consideration of this House therein, were severally presented to the House and read, and ordered to lie on the Table.

Mr Waller reported that he had, according to Order, waited on his Honour the Governour with the Address of this House, to desire that he would please to lay before the House his Majesty's additional Instructions relative to the passing Laws in this Colony, to which his Honour was pleased to answer, he would order the said Instructions to be laid before the House.

A Claim of William Davis, for taking up a Defenter, was presented to the House and received, and ordered to lie on the Table.

Mr Carter presented to the House, according to Order, a Bill For recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned; and the same was read the first time, and ordered to be read a second Time.

Mr Carter also presented to the House a Bill To explain and amend the Act, intituled, *An Act for appointing an Agent*; and the same was read the first Time, and ordered to be read a second Time.

An ingrossed Bill, intituled, *An Act to dock the Entail of certain Lands whereof Charles Lewis, Gentleman, is seized, and for settling other Lands of greater Value to the same Uses*, was read the third Time.

*Resolved*, That the Bill do pass.

13

*Ordered*, That Mr Pendleton do carry up the said Bill to the Council for their Concurrence.

A Message from the Governour was delivered by Mr Walthoe.

Mr Speaker,

*I am commanded by the Governour to acquaint this House, that his Honour is now ready to receive their Addresses in the Council Chamber.*

Accordingly Mr Speaker, with the House, went up; and being returned, reported, That he, with the House, had attended the Governour in the Council Chamber, and presented the Address of this House to him, to which he was pleased to answer:

Mr Speaker, and Gentlemen of the House of Burgeesses,

*I return you my sincere Thanks, for your affectionate Address.*

*I can ask no more from you, than that you should join your Duty to his Majesty (whose Wisdom, Justice and Lenity, you so justly proclaim) to your steady Adherence to the true Interest of your Country: And, in Return for these Assurances, I will endeavour to make the Blessings of Peace as productive of Happiness to you as lies in my Power; that my Conduct may in some Measure, merit the good Opinion you so kindly entertain of it.*

Mr Speaker also reported, that the Governour had delivered to him two Letters from Governour Bull of South Carolina, which he had directed him to lay before this House.

And the said Letters were read, and ordered to lie on the Table.

A Petition of William Meldrum and John Jones, Ministers of the Parishes of Frederick and Augusta, setting forth, That a few Years ago an Act of Assembly was passed for paying the Petitioners a Salary of £100 per Annum, instead of the Salary by Law established for the Clergy of this Colony, with which they were well satisfied, though greatly inferior to the Provision made for the other Clergy; that by a late Proclamation the above mentioned Act is repealed, by which Means they are reduced to the same Distresses



treffes from which they were relieved by the said Act; and praying the Consideration of this House therein, was presented to the House and read, and ordered to lie on the Table.

A Message from the Council by Mr Walthoe,

*That they have agreed to join with this House in the proposed Address to his Majesty and have appointed four of their Members to join with the Members appointed by this House, in order to draw up the same.*

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Saturday, the 11th of October, 34 Geo. II. 1760.

A *Petition* of fundry Inhabitants of the Parish of *Raleigh*, in the County of *Amelia*, complaining of fundry illegal Practices of the Vestry of the said Parish; and praying that the said Vestry may be dissolved, and also that the said Parish may be divided.

14 Also a *Petition* of fundry Merchants and Traders, in the County of *Prince William*, complaining of the great Disadvantages the Trade in the interior Parts of this Colony labours under, from the Number of Pedlars trading there; and assigning the same Reasons against this prejudicial Trade as are mentioned in a *Petition* of fundry Traders and Inhabitants of this Colony presented to the House on *Thursday* last, were severally presented to the House and read, and ordered to lie on the Table.

A Message from the Council by Mr Walthoe,

*That they have agreed to the Bill, intituled an Act to dock the Entail of certain Lands whereof Charles Lewis Gentleman, is seized, and for settling other Lands of greater Value to the same Uses.*

*And that a Petition of fundry Inhabitants of Cumberland Parish, in the County of Lunenburg, had been read in Council, which they had referred to the Consideration of this House.*

And the said *Petition*, setting forth the great Inconvenience they labour under in not being able, from the vast extent of their said Parish, to attend Divine Service, and praying that the said Parish may be divided, was read, and ordered to lie on the Table.

A *Petition* of *William Hunter*, Printer, praying that his Salary as Printer to this House, which will expire at the End of this Session of Assembly, may be continued.

*Resolved*, That the said *William Hunter* be allowed the Sum of £350 per Annum, to continue to the End of the next Session of Assembly, as a full Consideration for printing the Journals of the House of Burgeffes, printing the Laws of each Session, and sending 13 of them to every County Court Clerk, one of which to be Half bound for the Use of the Court; printing Inspectors Notes, and Books, Proclamations, and other publick Advertisements.

*Ordered*, That the said Resolution be ingrossed, and that Mr *Bland* do carry it up to the Council for their Concurrence.

A *Bill* for recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned, was read a second Time, and ordered to be committed to a Committee of the whole House immediately.

The House accordingly resolved itself into a Committee upon the said Bill, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported, that the Committee had had the said Bill under their Consideration, and had made several Amendments thereto, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Amendments be put off until *Monday* next.

A Message from the Governour by Mr Walthoe,

Mr Speaker,

The Governour has commanded me to deliver to your House his Majesty's Instructions, concerning his passing such Laws as shall or may be offered to him for his Assent.

Ordered, That the same do lie on the Table, for the Perusal of the Members of this House.

Mr Carter, from the Committee appointed, presented to the House, according to Order, a Bill For appointing Persons to receive the Money granted to this Colony by the Parliament of Great Britain; and the same was read the first Time, and ordered to be read a second Time.

And then the House adjourned till Monday Morning Eleven o'Clock.

## Monday. the 13th of October. 34 Geo. II. 1760.

A Petition of Benjamin Cage, setting forth, that he was sent out to the Frontiers of the Colony, as one of the Militia, in 1758; where he continued 108 Days, for which he has never received any Satisfaction; his Name being by Mistake omitted in the Roll of the Company he belonged to; and praying the Consideration of the House therein.

Also a Petition of fundry Inhabitants of the County of Prince William, praying that the Court Day of Fauquier County may be altered; were severally presented to the House and read, and ordered to lie on the Table.

A Petition of Herbert M'Clure, setting forth, that in October 1759, in an Engagement with a Party of Shawnee Indians, he received a Wound, which has rendered him unable to procure a Livelihood; and praying the Consideration of this House therein, was presented to the House and read, and ordered to lie on the Table.

Ordered, That the said Petition be referred to Mr George Johnson, Mr Richard Henry Lee, the Members for Augusta County, and Mr Gabriel Jones; that they do examine into the Allegations thereof, and report the same, with their Opinion thereupon, to the House.

A Bill To explain and amend the Act, entitled, *An Act for appointing an Agent*, was read a second Time, and committed to the Committee to whom it was referred a second Time, and committed to the Committee to whom it was referred to prepare and bring in the same.

A Petition of Benjamin Sellman, praying to be allowed for 112 lb. of Bacon taken from him for the Use of the Militia of King George County, was presented to the House and read, and thereupon

Resolved, That the said Benjamin Sellman be allowed the Sum of 56 Shillings for his said Bacon, to be paid by the Publick.

The House, according to Order, proceeded to the Consideration of the Amendments proposed by the Committee of the whole House to the Bill For recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned, reported to the House on Saturday last, and referred to be considered this Day; and the same being again twice read, were agreed to by the House.

Ordered, That the said Bill, with the Amendments, be engrossed, and read a third Time.

A Bill For appointing Persons to receive the Money granted to this Colony by the Parliament of Great Britain, was read a second Time, and ordered to be committed to a Committee of the whole House immediately.

The House accordingly resolved itself into a Committee upon the said Bill; and after some Time spent therein, Mr Speaker resumed the Chair, and Mr Charles Carter reported



reported, that the Committee had had the said Bill under their Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee upon the said Bill To-morrow.

His Majesty's additional Instructions to the Governour relative to his passing such Laws as should thereafter be offered to him for his Assent, laid before the House by the Governour's Command on *Saturday* last, were read, and ordered to lie on the Table.

Upon a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For paying the Burgeffes Wages for this present Session of Assembly, and it is referred to Mr *Cary* to prepare and bring in the same.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

## Tuesday. the 14th of October. 34 Geo. II. 1760.

**A** Claim of Robert Didlake, Junior, for taking up a Runaway therein mentioned, was presented to the House and received, and ordered to lie on the Table.

An engrossed *Bill*, entitled, *An Act for recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their concurrence.

Mr *Bland*, one of the Members of the Committee of Correspondence named in the *Act for appointing an Agent*, according to Order, laid before the House the Register of the Proceedings of that Committee.

The *Order* of the Day being read, the House again resolved itself into a Committee upon the Bill For appointing Persons to receive the Money granted to this Colony by the Parliament of *Great Britain*; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had again had the said Bill under their Consideration and made several Amendments thereto, which they had directed him to report to the House; and he read the same in his Place and then delivered them in at the Table, where they were again twice read, and agreed to by the House, with some Amendments.

*Ordered*, That the Bill, with the Amendments as amended, be engrossed, and read a third Time.

A *Message* from the Council by Mr *Waltheo*,

*That they have agreed to the Bill, entitled, An Act for recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned.*

<sup>17</sup> *Also to the Resolve for allowing William Hunter, Printer to the Publick, a Salary of £350 per annum.*

Upon a *Motion* made,

*Ordered*, That Mr *Cary* be discharged from proceeding further on the Bill directed to be brought in For paying the Burgeffes Wages for this present Session of Assembly.

Mr *Carter* reported that the Committee to whom the Bill To explain and amend the *Act*, entitled, *An Act for appointing an Agent*, was committed, had made an Amendment thereto, which he read in his Place, and then delivered the Bill, with the Amendment, in at the Table, where the Amendment was again twice read, and agreed to by the House.

*Ordered*, That the Bill, with the Amendment, be engrossed, and read a third Time.

*And then the House adjourned till To-morrow Morning Eleven o'Clock.*

**Wednesday.**



Wednesday, the 15th of October. 34 Geo. II. 1760.

**S**EVERAL *Claims* of *Jesse Jones*, *Robert Green* and *John Didlake*, for taking up Runaways therein mentioned, were severally presented to the House and received, and ordered to lie on the Table.

*Ordered*, That a Committee be appointed to examine the enrolled Bills of the following Persons, *viz.* Mr *William Digges*, Mr *Henry Lee*, Mr *Edmunds* and Mr *Cabell*.

Mr *George Johnston* reported, that the Committee to whom the Petition of *Herbert McClure* was referred had had the same under their Consideration, and had agreed upon a Report, and come to a Resolution thereupon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

It appears to the Committee that in the Month of *October*, in the Year 1759, a Party of *Shawnee Indians* made an Incurfion into the County of *Augusta*, and having cruelly murdered 12 of the Inhabitants, carried away 13 other Prisoners, together with several Horses and many other Goods; That a Company of Volunteers, whereof the Petitioner was one, under the command of one *William Christian*, pursued the *Indians*, and retook the Prisoners, Horses and Goods; in which Pursuit the Prisoner received a Musket Ball through his Ankle: That he stands now chargeable to two Surgeons in the Sum of £30 for attempting to cure the same, which he is unable to pay. It further appears that he is a very poor Man, hath a Wife and Children to maintain, and to this Day remains a Cripple, and in all probability will continue so.

*Resolved*, That he be allowed the Sum of Thirty Pounds.

Mr *William Digges* reported that the Committee appointed had, according to Order, examined the enrolled Bills, and rectified such Mistakes as were found therein, and that they were truly enrolled.

*Ordered*, That Mr *Digges* do carry up the enrolled Bills to the Council, for their Inspection.

A Message from the Council by Mr *Walthoe*.

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*That they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

A Message from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governour commands the immediate Attendance of your House in the Council Chamber, and that you bring with you such Bills as are ready for his Assent.*

Mr *Speaker* with the House went up accordingly, and the Governour was pleased to give his Assent to the following Bills,\* *viz.*

*An Act for recruiting and further continuing the Old Regiment in the Service of this Colony, and for other Purposes therein mentioned.*

*An Act to dock the Entail of certain Lands whereof Charles Lewis, Gentleman, is seized, and for settling other Lands of greater Value to the same Uses.*

An engrossed Bill, entitled, *An Act for appointing Persons to receive the Money granted, or to be granted, by the Parliament of Great Britain to his Majesty for the Use of this Colony*, was read the third Time, and a Blank therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

Upon a Motion made,

*Resolved*, That the several Sums following be allowed to the several Officers of the General Assembly, respectively: *viz.*

To

\*Hening, VII, 369 ff.

To <i>John Randolph</i> , Esq; Clerk of the House of Burgeffes,.....	£100	
To <i>Nathaniel Walthoe</i> , Esq; Clerk of the General Assembly.....	50	
To the Rev. Mr <i>William Yates</i> , Chaplain.....	25	
To Mr <i>Francis Eppes</i> , Serjeant at Arms.....	30	
To Mr <i>George Davenport</i> , for his Services this Seffion.....	10	
To the Door Keeper of the Council.....	5	
To <i>Thomas Broadrib</i> ,	} Door Keepers to the House..... {	5
To <i>James Lavie</i>		5
To <i>Thomas Francis</i>		5
To <i>Nathanial Hix</i>		5

Ordered, That the said Resolve be engrossed, and that Mr *Richard Henry Lee* do carry it to the Council for their Concurrence.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

### Thursday. the 16th of October. 34 Geo. II. 1760.

A N engrossed *Bill*, entitled, *An Act to explain and amend the Act, entitled, An Act for appointing an Agent*, was read the third Time.

Resolved, That the *Bill* do pass.

Ordered, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

19 A Message from the Council by Mr *Walthoe*.

That they have agreed to the *Bill*, entitled, *An Act for appointing Persons to receive the Money granted, or to be granted, by the Parliament of Great Britain to his Majesty for the Use of this Colony*.

Also to the Resolve for paying the Officers Salaries for this present Session of Assembly.

A *Petition* from *Robert Harper*, praying that a Ferry may be established from the Land across the River *Potowmack* to his Land on the opposite Shore in *Maryland*.

Also a *Petition* from fundry Inhabitants of *Frederick*, to the same Purpose; were severally presented to the House and received, and ordered to lie on the Table.

A *Petition* of *Roger Wigginton*, praying to be allowed for a Gun impressed by Captain *Fielding Turner* for one of his Company of Militia; was presented to the House and read, and ordered to lie on the Table.

And then the House adjourned till To-morrow Eleven o'Clock.

### Friday. the 17th of October. 34 Geo. II. 1760.

SEVERAL Claims of *Joseph Berry*, *Thomas Herd*, *William Robertson*, *Stephen Turnbull*, *William Panill*, *Richard Tutt*, Junior, *Robert Turnbull* and *George Edwards*, were severally presented to the House and received, and ordered to lie on the Table.

And then the House adjourned till To-morrow Morning Eleven o'Clock.

### Saturday. the 18th of October. 34 Geo. II. 1760.

A Message from the Council by Mr *Walthoe*.

That they have agreed to the *Bill*, entitled, *An Act to explain and amend the Act, entitled, An Act for appointing an Agent*.

Upon a Motion made,

Ordered,

*Ordered*, That there be a Call of the House on *Monday* next.  
*And then the House adjourned till Monday Morning Eleven o'Clock.*

## Monday, the 20th of October. 34 Geo. II. 1760.

**M**R. *Richard Henry Lee* reported that the joint Committee, appointed by the Council and this House, had, according to Order, prepared an Address and Representation to his Majesty, which he read in his Place, and then delivered in at the Table, where they were severally again twice read, and agreed to by the House.

*Ordered*, That M<sup>r</sup> *Lee* do carry up the said Address and Representation to the Council, and desire their Concurrence. <sup>20</sup>

M<sup>r</sup> *Henry Lee* reported that the Committee appointed had, according to Order, examined the rest of the enrolled Bills and Resolves, and rectified such Mistakes as were found therein, and that they were truly enrolled.

*Ordered*, That M<sup>r</sup> *Lee* do carry up the enrolled Bills to the Council for their Inspection. A Message from the Council by M<sup>r</sup> *Walthoe*.

*That they have agreed to the Address and Representation to his Majesty.*  
*And that they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

Upon a Motion made,

*Resolved*, That the Address and Representation to his Majesty be fairly transcribed, and signed by the President of the Council and the Speaker of the House of Burgesses, and then delivered to the Committee of Correspondence, to be by them transmitted to the Agent to be presented to his Majesty; and that whatever necessary Expence shall be incurred in soliciting the said Representation shall be borne by the Publick.

*Ordered*, That the said Resolve be engrossed, and that M<sup>r</sup> *Richard Henry Lee* do carry up the same to the Council for their Concurrence.

A Message from the Council by M<sup>r</sup> *Walthoe*,

*That they have agreed to the Resolution of this House, relative to the Address and Representation to his Majesty.*

A Message from the Governour by M<sup>r</sup> *Walthoe*,

M<sup>r</sup> *Speaker*,

*The Governour commands the immediate Attendance of this House in the Council Chamber, and that you bring with you such other Bills and Resolves as are ready for his Assent.*

M<sup>r</sup> *Speaker*, with the House, went up accordingly; and being returned, reported, that he with the House attended the Governour in the Council Chamber, and that the Governour was pleased to give his Assent to the following Bills,\* viz.

*An Act for appointing Persons to receive the Money granted, or to be granted, by the Parliament of Great Britain to his Majesty for the Use of this Colony.*

*An Act to explain and amend the Act, entitled, An Act for appointing an Agent.*

And that his Honour likewise gave his Assent to the following Resolves, viz.

*A Resolve For paying the Officers Salaries.*

*Also to the Resolve for allowing William Hunter, Printer, a Salary of £350 per Annum.*

And that his Honour then made a Speech to the Council and this House, of which he had, to prevent Mistakes, obtained a Copy, which he read in his Place, and afterwards delivered in at the Table, where it was again read, and is as follows:

*Gentlemen of the Council, M<sup>r</sup> Speaker, and Gentlemen of the House of Burgesses.*

\*Hening VII, 372, ff.



*As you have gone through all the Business I recommended to you, and which you entered upon, I shall not longer detain you from your Families; but, before I dismiss you, I am of Opinion it will be a Satisfaction to you to be yourselves informed, and to be able to inform your Neighbors, that I have already taken every Step in my Power to give a full and speedy Operation to the Act passed this Session for the Protection of our Frontiers, by having informed the Honourable Brigadier-General Monckton of the Terms of the Act, by having recalled Lieutenant-Colonel Stephens from under his Command, and given him Orders to march his Corps immediately to join the Honourable Colonel Byrd to the Southward; by having given Mr Byrd Directions to complete his Regiment; and sent up Money for that Purpose; and by having contracted for victualling and clothing the Men: And I recommend it to you, Gentlemen, to give all the Assistance in your Power, in your respective Counties, to expedite these Measures, so salutary, and necessary to the Colony; that our Force may be united, and properly provided for, as soon as possible.*

*As a recess at this Time is certainly convenient, and agreeable; and as the Expiration of an Act, entitled, An Act to amend the Staple of Tobacco, and to prevent Frauds in his Majesty's Customs, will take Place at the End of this Session of Assembly; I have thought fit, with the Advice of the Council, to order both Houses, and they are hereby ordered, severally to adjourn themselves to Thursday the 11<sup>th</sup> of December next, at which Time I require all their Members to re-assemble at this Place.*

*Ordered, That the House be adjourned to the 11<sup>th</sup> Day of December next.*

## Thursday. the 11th of December. 1 Geo. III. 1760.

**T**HE House being met according to Adjournment, a Message from the Governour was delivered to them by Mr Walthoe.

*Mr Speaker, and Gentlemen of the House of Burgesse,*

*The Governour commands the immediate Attendance of this House in the Council Chamber.*

Accordingly Mr Speaker, with the House, went up; and being returned, reported that he, with the House, had attended the Governour in the Council Chamber, when his Honour was pleased to say, that having no particular Business to communicate to them at this Time, he had ordered both Houses to adjourn themselves to Thursday the 5<sup>th</sup> of March next, and thereupon

*Ordered, That the House be adjourned to the said 5<sup>th</sup> Day of March next.*

## Thursday. the 5th of March. 1 Geo. III. 1761.

**S**EVERAL Members being met according to Adjournment, having taken the Oaths appointed to be taken by Act of Parliament, instead of the Oaths of Allegiance and Supremacy, and taken and subscribed the Oath of Abjuration, and also repeated and subscribed the Test, took their Seats in the House.

A Member returned on a new Writ, having taken the Oaths and subscribed the Test above mentioned, was admitted to his Place in the House.

A Message from the Governour was delivered by Mr Walthoe.

*Mr Speaker, and Gentlemen of the House of Burgesse,*

*The Governour commands the immediate Attendance of your House in the Council Chamber.*

Mr. Speaker, with the House, went up accordingly; and being returned reported that he, with the House, had attended the Governour in the Council Chamber, where his Honour

Honour was pleased to make a Speech to the Council and this House, of which he had to prevent Mistakes, obtained a Copy; which he read to the House, and then delivered in at the Table, where it was again read, and is as follows:

*Gentlemen of the Council, Mr Speaker, and Gentlemen of the House of Burgeffes,*

*I should have omitted the calling you up on this your meeting according to your Adjournment, were it not incumbent on me to notify to you, now met in General Assembly, the great Loss we have sustained by the Decease of our late Sovereign, of happy and glorious Memory; a King who, by his private as well as royal Virtues, had rendered himself justly dear to all his Subjects. Deplorable indeed would our Loss have been, had we not the greatest Reason to form the most sanguine Expectations of enjoying the Blessing of Freedom, in the same full Latitude we experienced under the Grandfather, in the Person of his Successor, his present Majesty; a Prince descended from that royal Family who have used the Prerogative of their Crowns with the utmost Tendernefs and under whose Government the Liberty of the Subject has not suffered the least Attack, during a Term of six and forty Years, since their first Accession to the Crown; a Period of Happiness to Great Britain, and its Appendages, which the British Annals cannot parallel; a Prince born among us, who has himself been a Witness of the Blessings flowing to Sovereign and Subject from a due Mixture of Liberty and Obedience; a Prince who, from his Education, has imbibed the Strongest Notions of Virtue and true Religion; to countenance and encourage which, he has from the Throne assured us, is his fixed Purpose. On this Authority, I can promise you a continuation of that Justice and Lenity which you have felt under the Government and Authority of his royal Progenitors. The only Instance of Gratitude you can shew for the Blessings you have so long enjoyed under our deceased Monarch, will be your Zeal in the Service of the present; and this Consideration, with a grateful People, will, I make no Doubt, render it needless for me to recommend it further.*

*I was in Hopes that the Time was come, that you might have been eased in the great Article of Expence necessary to keep on Foot the same Body of Men you have lately had in Pay; but when you shall consider the Letters I shall lay before you from Major-General Amherst, who in his Majesty's Name requires to be assisted with some Men from this Colony; from Governour Bull and Colonel Byrd, who represent our Situation with the Cherokee Indians as very critical; I apprehend that you will be of Opinion with me, that it will not be prudent to lay down our Arms until a solid Peace is made with those Indians.*

*The likeliest Means to procure a full Security for our Frontiers, is to treat Sword in Hand.*

*Mr Speaker, and Gentlemen of the House of Burgeffes,*

*It is my Duty, both as Servant to his Majesty, whose Commission I bear, and as Guardian of your Peace and Safety, to represent and recommend these Services to you; for which I hope you will provide in such Manner, as to render them effectual to answer the End proposed and desired. Happy it is for us that, by the Bounty of the British Legislature, no new Tax need be laid, or old one continued, on the Inhabitants of this Colony, to answer these Purposes.*

*Gentlemen of the Council and of the House of Burgeffes,*

*Having nothing further, on my part, to refer to your Consideration, I shall only recommend to you the greatest Dispatch, in finishing the Business of this Session, which the Circumstances of the Country demand; that the whole may be completed before the Sitting of the General Court in April.*

*Resolved, That an humble Address be presented to his Honour the Governour, to return him our Thanks for his kind Speech; to express how deeply we are afflicted with the Loss of our late most gracious Sovereign, and our great Happiness on the Accession of his present Majesty to the throne of Great Britain, and to assure him that we will proceed on the Business now recommended, and depending before us, with all possible Unanimity and Dispatch.*

*Ordered,*



*Ordered*, That an Addrefs be drawn up purfuant to the faid Refolution, and it is referred to Mr *Attorney* and Mr *Pendleton* to prepare and bring in the fame.

*Resolved*, That this Houfe will take the Governour's Speech into Confideration on Monday next.

*And then the Houfe adjourned until To-morrow Morning Eleven o'Clock.*

## Friday, the 6th of March, 1 Geo. III. 1761.

**O**RDERED, That a Committee of Publick Claims be appointed of the following Perfons viz.

Mr *Bland*,

Mr *Harwood*,

Mr *William Thornton*,

Mr *Cave*,

Mr *Simmons*,

Mr *Richard Lee*,

Mr *Hartwell Cocke*,

Mr *Wilson*,

Mr *Ball*,

Mr *Booker*,

Mr *John Smith*.

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And they are to meet and adjourn from Day to Day, and to take into their Confideration all publick Claims referred from the laft to this Seflion of Affembly, and alfo all fuch Claims as fhall be regularly certified and prefented to this Seflion; and to report their Proceedings, with their Opinions thereon, to the Houfe, when they have gone through the faid Claims: And all Perfons that have any Claims are to deliver them to the Clerk, and he is to deliver them to the faid Committee of Courfe; and they are to have power to fend for Perfons, Papers and Records, for their Information.

*Ordered*, That Mr *Miles Cary* be appointed Clerk to the faid Committee.

A Claim of *Edward Portlock* for taking up a Runaway therein mentioned was prefented to the Houfe and received, and referred to the Confideration of the Committee of Claims.

*And then the Houfe adjourned until To-morrow Morning Eleven o'Clock.*

## Saturday, the 7th of March, 1 Geo. III. 1761.

**M**R. *Attorney* reported that the Committee appointed had, according to Order, prepared an Addrefs to the Governour, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houfe, and is as follows:

*Sir*,

*We his Majesty's dutiful and loyal Subjects, the Burgeffes of Virginia, return your Honour our fincere Thanks for your kind Speech.*

*The Death of his late Majesty, our moft gracious Sovereign, muft neceffarily leave deep Impreffions of Sorrow on the Minds of all his Subjects, when they reflect how confpiciously his Diadem was adorned with royal as well as private Virtues.*

*It is with Gratitude we acknowledge that Power, the Scourge of Nations, when under the Influence of Ambition, has never, during his long and happy Reign, been fuffered to pafs thofe Boundaries, eftablifhed for the Defence of Liberty, by our excellent Conftitution; and it was with Pleafure we faw that his Magnanimity and Humanity, his Juftice and Lenity, had rivited to him the Affections of his People, the never failing Source of Happinefs to deferving Kings. His Colonies feel their Lofs with exaggerated Affliction, as by it they are deprived of that Arm which fo carefully protected them from the Defolation prepared for them by Cruelty and Defpotifm.*

*But we cannot longer indulge ourfelves in the Contemplation of this Miffortune, left we fhould fhew a Diffidence of that Prince who now fo defervedly fills the Throne of our deceased*



deceased Sovereign: We are extremely happy, Sir, that a Descendant from that illustrious Family, whose Conduct and Disposition we have so much Reason to applaud, should pre-  
side over us; and we have the highest Expectations from every other Consideration, that, 25  
after the Example of his great Progenitors, his paternal Care will constantly protect the  
Liberties of his People; and that, in Return, they will endeavour to promote his Happiness  
and Glory. We do give his Majesty the most sacred Assurances that this shall be the  
constant Aim of his Subjects in Virginia; on whose Zeal, Affection and Loyalty, he may  
always rely with the greatest Security.

Your Honour may depend that all possible Dispatch shall be given the Business recom-  
mended, and depending before us, so as to bring the Session to a speedy Conclusion.

Ordered, That the said Address be fairly transcribed, and presented by the whole  
House.

Ordered, That the Committee which prepared the same wait on the Governour, to  
know his Pleasure when the House shall attend his Honour to present it.

A Message from the Council by Mr Walthoe.

That they have prepared an Address to his Majesty, in which his Honour the Governour  
had joined them, and that they had sent it down to desire this House would join them therein,  
and had left a Blank for that Purpose; and the said Address was twice read, and  
agreed to by the House.

Resolved, *Nemine contradicente*, That this House will join with the Governour and  
Council in the said Address, and that the Blank left for that Purpose be filled up accord-  
ingly.

Ordered, That Mr Bland go up with the Message to the Council, and acquaint them  
therewith.

Several Claims of John Lackey and Richard Sykes for taking up Runaways therein  
mentioned were presented to the House and received, and referred to the Consideration  
of the Committee of Claims.

And then the House adjourned until Monday Morning Eleven o'Clock.

## Monday, the 9th of March, 1 Geo. III. 1761.

MR Attorney reported that the Committee appointed had, according to Order,  
waited on his Honour the Governour, to know his Pleasure when this House  
should attend him with their Address; and that he was pleased to appoint  
this Day, and to say that he would signify by a Message to the House  
when he was ready to receive it.

A Message from the Governour by Mr Walthoe,

That his Honour is now ready in the Council Chamber to receive the Address of this  
House.

Mr Speaker, with the House, went up accordingly; and being returned, reported  
that he, with the House, had attended the Governour in the Council Chamber, and pre-  
sented the Address of this House to him, to which he was pleased to Return the follow-  
ing Answer.

Mr Speaker, and Gentlemen of the House of Burgeffes,

I Return you my sincere and hearty Thanks for this Affectionate, loyal and dutiful,  
Address.

Your just Sense of Gratitude for your former Happiness, and your well grounded Expect-  
ations of your future, together with your Assurances of Zeal Affection and Loyalty, to his  
Majesty

*Majesty, give me the greatest Cause of Satisfaction, and must necessarily meet with the Approbation of his Majesty, and all his faithful Subjects, in every Part of his Dominions.*

A *Petition* of *Hannah Corbin*, Widow, and *Richard Henry Lee*, Gentleman, only acting Executors of the Will of *Gawin Corbin*, Gentleman, deceased, was presented to the House and read, setting forth, That the said *Gawin Corbin* died seized in Fee of several Tracts of Lands in *Westmoreland*, *King George*, *Fauquier* and *Lancaster*, all settled with Slaves; and also two undivided third Parts of a Tract in *Caroline*, unsettled; and by his will devised his whole Estate to his Wife and Daughter *Martha*, with Remainders, in Case of his Daughter's Death without Issue, to the youngest Sons of the Hon. *Richard Corbin*, Esquire; and the two youngest Sons of *Robert Tucker*, Gentleman; and directed that, if his Crops should not be sufficient to pay his Debts, his Lands in *Caroline*, should be sold for that purpose; That the Petitioners having applied the said Crops to the Payment of the Debts, there still remains a Balance of £1210.9. 2 Sterling and £696. 19 Currency due from the Estate, which the Creditors are pressing to receive: That by Reason of many Disputes depending about the Bounds of the Lands in *Caroline*, and the Want of a Partition thereof between the Representatives of the said *Gawin Corbin* and the Heir of *John Corbin*, Gentleman, deceased, who is also an Infant, the said Lands could not now be sold for near their Value; and yet, being fresh, might be worked to greater Profit for the Estate than the Lands in *Lancaster*, which are mostly exhausted; but, from their Situation and Circumstances, might be sold immediately for more than their real Value: That if the Petitioners were allowed to have the *Caroline* Lands for the Heir, and sell Lands in *Lancaster* and some Slaves for Payment of the Debts, it would be a great Advantage to the Heir, and prevent\* expensive Law Suits and other Difficulties; and praying that an Act may pass for that Purpose.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Pendleton* to prepare and bring in the same.

*Ordered*, That a Committee of Privileges and Elections be appointed of the following Persons, viz.

Mr *Attorney-General*,

Mr *Charles Carter*,  
Mr *Bland*,  
Mr *Landon Carter*,  
Mr *William Digges*,  
Mr *Benjamin Harrison*,  
Mr *Waller*,  
Mr *Randolph*,

Mr *Page*,  
Mr *Dudley Digges*,  
Mr *Nicholas*,  
Mr *Wythe*,  
Mr *Richard Henry Lee*,  
Mr *Pendleton*,  
Mr *Presly Thornton*.

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And they are to meet and adjourn from Day to Day, and to examine in the first Place all Returns of Writs for electing Burgesses to serve in this present General Assembly, and to compare the same with the Form prescribed by Law, and to take into their Consideration all such Matters as shall or may come in Question touching Returns, Elections and Privileges; and to report their Proceedings, with their Opinions thereon, from Time to Time, to the House; and the said Committee are to have power to send for Persons, Papers and Records, for their Information.

*Ordered*, That a Committee of Propositions and Grievances be appointed of the following Persons, viz.

Mr *Charles Carter*,

Mr *Bland*,  
Mr *Attorney*,  
Mr *Randolph*,  
Mr *Landon Carter*,  
Mr *William Digges*,  
Mr *Bowler Cocke*,  
Mr *Wythe*,  
Mr *Lewis Burwell*,  
Mr *Charles Carter*, Jun. (*King George*)  
Mr *Richard Lee*,

Mr *Waller*,  
Mr *Benjamin Harrison*,  
Mr *Page*,  
Mr *Dudley Digges*,  
Mr *Nicholas*,  
Mr *Charles Carter*, (*Lanc.*)  
Mr *Syme*,  
Mr *Pendleton*,  
Mr *Martin*,  
Mr *Presly Thornton*.

And

\*The transcript from England is followed here; the word "prevent" was, however, probably originally used.



And they are to meet and adjourn from Day to Day, and to take into their Consideration all Propositions and Grievances that shall come legally certified to this Assembly; and to report their Proceedings, with their Opinions thereon, from Time to Time, to the House; and all such Propositions and Grievances are to be delivered to the Clerk of the House, and by him to the said Committee, of Course; and the said Committee are to have Power to send for Persons, Papers and Records, for their Information.

*Ordered*, That a Committee for Courts of Justices be appointed of the following Persons, *viz.*

	<i>Mr Landon Carter,</i>
<i>Mr Tabb,</i>	<i>Mr Heal,</i>
<i>Mr Wythe,</i>	<i>Mr Thomas Harrison,</i>
<i>Mr Le Grand,</i>	<i>Mr Pendleton,</i>
<i>Mr Cabell,</i>	<i>Mr James Taylor,</i>
<i>Mr David Mason,</i>	<i>Mr Winn.</i>

And they are to meet and adjourn from Day to Day, and to take into their Consideration all Matters relating to Courts of Justice, and such other Matters, as shall from Time to Time be referred to them; and report their Proceedings, with their Opinions thereon, to the House; and the said Committee are to inspect the Journals of the 3<sup>d</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>, Sessions of this present General Assembly, and draw up a State of the Matters then depending and undetermined, and the Progress that was made therein, and report the same to the House; and that they do also examine what temporary Laws have expired since the last, or will expire with the End of this, Session of Assembly, or are near expiring, and report the same to the House, with their Opinions which of them are fit to be revived and continued; and the said committee are to have Power to send for Persons, Papers and Records, for their Information.

*Ordered*, That a Committee of Trade be appointed of the following Persons, *viz.*

	<i>Mr Benjamin Harrison,</i>
<i>Mr Christian,</i>	<i>Mr Tatem,</i>
<i>Mr Hairstone,</i>	<i>Mr Bradley,</i>
<i>Mr Charles Carter,</i>	<i>Mr Ruffin,</i>
<i>Mr Upshaw,</i>	<i>Mr Waring.</i>

And they are meet and adjourn from Day to Day, and to take into their Consideration all Things relating to the Trade of this Colony, and all Matters that shall be from Time to Time to them referred, and to report their Proceedings, with their Opinions thereon, to the House; and the said Committee are to have Power to send for Persons, Papers and Records, for their Information.

*Ordered*, That *Mr Smith* and *Mr Christian* be added to the Committee of Claims.

A *Petition* of *George Davenport*, humbly returning Thanks for past Favours; and praying to be promoted to the Clerkship of the Committee of Privileges and Elections, and Propositions and Grievances.

Also a *Petition* of *Richard Parker*, praying to be appointed to the same Office, were severally presented to the House and read.

*Resolved*, That the said *George Davenport* be appointed Clerk to the said Committee, and that he attend accordingly.

*Resolved*, That the *Petition* of the said *Richard Parker* be rejected.

*Ordered*, That *Mr Thomas Everard* be appointed Clerk to the Committee for Courts of Justice, and that he attend accordingly.

A *Petition* of *Hind Russell*, praying to be appointed Clerk to the Committee of Trade.

Also a *Petition* of *Richard Parker*, to the same Purpose; were severally presented to the House and read.

*Resolved*,



*Resolved*, That the said *Hind Ruffell* be appointed Clerk to the said Committee, and that he attend accordingly.

*Resolved*, That the Petition of the said *Richard Parker* be rejected.

*Ordered*, That the Consideration of the Governour's Speech be put off until To-morrow.

*And then the House adjourned until To-morrow Morning Eleven o'Clock.*

## Tuesday, the 10th of March. 1 Geo. II. 1761.

**A** *Petition of William Blackwall*, praying to be allowed for a Slave who was outlawed and killed.

*Also a Petition of Elizabeth King*, praying to be allowed for a Slave who, after murdering her late Husband, destroyed himself, were severally presented to the House, and read.

*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

29 Several *Claims* of *William Hawes*, *John Greggs* and *Robert Smith*, for taking up Runaways therein mentioned.

*Also* several *Accounts* and *Claims* of fundry Inhabitants of the County of *Augusta*, for Provisions and other Necessaries furnished for the Forces in the Service of this Colony, and for tributary *Indians*, in their marching through the County; were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

*Mr Landon Carter*, from the Committee for Courts of Justice, reported that the Committee had, according to Order, inspected the Journals of the 3<sup>d</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>, Sessions of this present General Assembly, and had prepared and drawn up a State of Matters then depending and undetermined, and the Progress that was made therein, and had agreed on a Report, which he read in his Place, and then delivered in at the Table, where the same was again read, and is as follows:

That it appears to this *Committee* that the Petition of fundry Inhabitants of the County of *Hanover*, setting forth that the great Extent of that County, and the inconvenient Situation of the Court House, render it very inconvenient for the Petitioners to attend their Business there; and praying that the said County may be divided, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of fundry Merchants, Planters, and others, residing on and trading to *York River*, setting forth that the Warehouses at *Page's* and *Crutchfield's*, in the County of *Hanover*, for the Inspection of Tobacco, are very inconveniently situated; and that the Petitioners are under great Difficulties, Trouble and Expence, in sending their Tobacco from thence to be shipped for Exportation, occasioned by Sands in the River *Pamunkey*, on which the said Warehouses are established, and the difficult Navigation thereof, by which Means Ships are frequently delayed and prevented from proceeding on their Voyages to *Great Britain*, for Want of the Tobacco they must wait for from those Warehouses; and praying that the said Warehouses may be suppressed, and new ones erected in their Stead at the Town of *Newcastle* in the said County.

*Also a Petition* of fundry Inhabitants of the said County of *Hanover*, in Opposition thereto; were severally presented to the House and read, and referred to the Committee of Propositions and Grievances to examine into the Matters thereof, and report the same, with their Opinions thereon to the House: That on a Motion made, the said Committee was discharged from proceeding on the said Petitions, and the Consideration of the same was put off until the next Session of Assembly.

That a *Petition* of the Inspectors at *Hunting Creek* Warehouse, in the County of *Fairfax*, setting forth that at the first Establishment of that Inspection their Salaries

were

were settled at £30 per Annum, since which Time their Business is largely increased; and praying the House to make them such Satisfaction as shall seem reasonable, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

An *Account* of Arrears due to several Companies of Militia of the County of *Augusta*, under the Command of Colonel *John Buchanan*; also fundry Accounts for Provisions and other Necessaries furnished the said Militia, and *Catawba Indians* in our Service; were severally presented to the House and received, and referred to the Consideration of the next Session of Assembly. 30

That a *Petition* of *Leonard Leechenan*, setting forth that he was one of the draughted Militia from the County of *Prince William* in the Year of 1758, and was in Service on the Frontiers 108 Days, but by some Mistake his Name was omitted to be inserted in the Pay Roll, and by that Means he hath not received any Satisfaction for his said Service; and praying the Consideration of the House therein, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Abraham Maury*, setting forth that in the Month of *November* 1758 he entered into a Contract with his Honour the Governour, in which he bound himself, under a Penalty, to furnish as well the Militia as such Rangers as should be employed in his Majesty's Service, in the Counties of *Bedford* and *Halifax*, until the 1<sup>st</sup> Day of *May* 1759, which contract be punctually complied with; that on the Reduction of *Fort De Quefne* the Militia were recalled, and before the Detachment from the Ranging Companies took Possession of the Forts they had occupied, great Part of the Provision the Petitioner had laid in for their Use was stolen and otherwise destroyed, those Detachments not coming until long after the Militia had abandoned their Posts, and left those Provisions to the Mercy of the Neighborhood; that the Petitioner's Agents might have disposed of the Provisions left on Hand for his Account, but that the Petitioner had contracted to provide for the Rangers also in those Counties, and retained the Provisions for their Use; and praying the Consideration of the House on the Premises, and that he may be allowed for the Loss he has sustained in such Manner as shall be thought just, was presented to the House and read, and referred to a Committee to examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House; that the said Committee reported they had had the said Petition under their Consideration, and had come to a Resolution (which was agreed to by the House) that the said Petition ought to be referred to the Consideration of the next Session of Assembly.

That an *Account* of *James Wimboush* for Privisions for *Indians* in the Service of this Colony was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

That an *Account* of Arrears due to a Party of the Militia of *Bedford* County was presented to the House and received, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Alexander Sayers*, setting forth that he was ordered out by his Honour the Governour, with a Company of the Militia of *Augusta* under his Command in the Year 1758, with which he was in the Service of the Government for three Months, and his Accounts were settled by the Commissioners appointed to settle the Militia Accounts, on whose Certificate his Honour granted him his Warrant to the Treasurer for the Payment of the Money due to himself and his Company; that at the last Session of Assembly, on the 4<sup>th</sup> Day of *April*, the House addressed his Honour the Governour to stop the Payment of his Warrant to the Petitioner, being of Opinion the Commissioners had no Power to pass any Militia Accounts accruing after the passing the Act appointing them to their Office, by which Means the Petitioner and his said Company have hitherto been kept out of their Pay; and praying the Consideration of the House therein, was presented to the House and read, and referred to the Consideration of the next Session of Assembly. 31

That



That a *Petition* of *Thomas Roy*, praying to be reimbursed by the Publick for the Expences he has been at in building a Wharf for the Publick Use at *Roy's Warehouse*, in *Caroline County*; alledging that the Rents of the said Warehouses (of which he is Proprietor) are not sufficient for that Purpose, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Memorial* of the Officers of the *Virginia Regiment*, setting forth that they had cheerfully entered into the Service of this Colony at a Juncture when an Aversion to a Military Life was general and conspicuous, and when the unjustifiable Encroachments of the *French* threatened our Lives and Properties with great Danger, since which Period they had made the Study of their Profession the Object of their closest Attention, and dropped all Thoughts of their former Employments, to which they cannot return but with the utmost Reluctance, and under such Infinity of Disadvantages as will totally incapacitate them from pursuing the same with any Probability of Success; that such of them as had any Fortunes had expended them, and those who had none are greatly involved, by procuring the Necessaries, and a very few of the Conveniences, of Life; of both which they were often destitute, and which, in the Country (or rather Wilderneys) they generally served in, could never be got but at an exorbitant Rate: That they have for a Number of Years been on constant severe Duty, encountered the rudest Toils, and most imminent Dangers; been Strangers to Winter Quarters and other Relaxations from the Duty of the Field, which other Troops enjoyed, and all have a Right to: That they have spent their youthful Days, impaired their Health, hurt their Constitutions, and in fine been deprived of those Resources that would have enabled them to have gained a Livelihood: That by close Application, and a steady Perseverance in the punctual Execution of their Duty, such good Order, Regularity and strict Discipline (which can alone constitute good Troops) have long been maintained in the Regiment, so as to have attracted the particular Notice and Approbation of the best Judges; acquired a Superiority over all other Provincial Troops, and rendered it universally admired by all with whom it did Duty: This Assertion is clearly evinced by the general Behaviour of its Officers in the many Actions it has been engaged in, and the signal Bravery of several, whose gallant conduct and glorious Deaths redound so much to the Honour of this Colony: That the publick Spirits which have so long exhibited our Military Affairs in a distinguished Light from those of the Neighbouring Provinces, and the ready Attention of this House to redress the Grievances of the Memorialists, give them Room to hope that, still actuated by the same noble Motives, this House will form some Establishment for their future Support; that the Blessings of Peace, which they have been instrumental in procuring to many of their Fellow Subjects, they may in some Measure participate of themselves: Or, in Case the unprecedented Perfidy of the *Cherokees* should protract the War, in that Event such a Provision would create the strongest Incitement in generous Minds (*viz.* Gratitude) to the utmost Exertion of their Abilities, in the Execution of such ulterior Operations as may be judged most efficacious for reestablishing the Tranquility, and supporting the Honour, Interest and Security, of this Colony; and praying that the House will take the Affair into Consideration, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *James Barbour*, complaining of an undue Election and Return of *Mr Henry Pendleton* to serve as a Burgess in this present General Assembly, for the County of *Culpeper*, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Clement Norman*, praying to be reimbursed the Sum of Five Pounds, paid by him to Doctor *Parker* for attending his Son, who was shot, and died in the Service of the Publick.

Also a *Petition* of *William Peachey*, late Colonel of the Frontier Battalion in Behalf of himself and the Officers lately under his Command, and praying that they may be repaid by the Publick for the additional Expences they were at, more than allowed by Law,



Law, in raising Recruits for the said Battalion, and marching them through the Country to their Place of Rendezvous.

Also a *Petition* of *Christopher Hudson*, setting forth that he was Captain of a Company of Militia on the Frontiers of this Colony, which he was under the Necessity of leaving to come to *Williamsburg* for Instructions, in which and other publick Services he was detained from his Command a Month, for which Reason the Commissioners appointed to settle the Militia Accounts refused to allow him his Pay for that Month; and praying the Consideration of the House therein.

Also a *Petition* of fundry Inhabitants of the Parish of *Hamilton*, in the County of *Prince William*, praying that that Part of the said Parish, lying below the dividing Line of *Prince William* and *Fauquier* Counties, may be added to the Parish of *Dettingen*, in order to render their Attendance on divine Service more easy and convenient.

Also a *Petition* of fundry Inhabitants of the Parish of *Cameron*, setting forth that the late Election of Vestrymen for the said Parish was illegal, and praying that the same may be dissolved.

Also a *Petition* of fundry Inhabitants of *Rockfish* River, in the County of *Albemarle*, setting forth that the Advantages and Benefits they lately enjoyed in supplying their Families with Fish, which used to go up the River in great Abundance, they are now entirely deprived of, by a Mill built thereon by *Allan Howard*, which has stopped the Course of the Fish up the said River; and praying that the said *Howard* may be compelled to cut a Slope in his Mill Dam for the Passage of the Fish.

Also a *Petition* of *Dale Carter* and *Merryman Payne*, Inspectors of Tobacco at *Davis's* Warehouse, in the County of *Lancaster*, setting forth that on the 21<sup>st</sup> Day of *June* last the said Warehouse was broke open, and 447 Pounds of Tobacco stolen out of a Crop Hoghead of Colonel *William Tayloe's*, which had been inspected and passed, and which they were obliged to make good; and praying that they may be repaid by the Publick, were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly. <sup>33</sup>

That a *Petition* of *John Palmer*, praying to be paid by the Publick for a Horse and Bridle impressed into his Majesty's Service and lost, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *William Tawhaw* and others, Part of the Tribe of *Pamunkey* Indians, setting forth that an Act of Assembly passed in *February* 1759 for Vesting certain Lands belonging to the *Pamunkey* Indians in Trustees, to be leased for their Benefit, which the Petitioners represent was obtained at the Solicitations of a few only of those Indians, without ever consulting the Petitioners on the Subject; and praying that the said Act may be repealed, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of fundry Inhabitants of the Parish of *Albemarle*, in the County of *Suffex*, complaining of illegal Proceedings of the Vestry of the said Parish, and praying the same may be dissolved.

Also a *Petition* of *Elizabeth Burk*, praying to be allowed by the Publick for three Beeves furnished by her for the Militia, which the Commissioners of her County omitted to certify in their Accounts, were severally presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Edward Hubbard* and *James Gunn*, setting forth, that they being appointed Captains in the late Frontier Battalion were with their respective Companies detached from the said Battalion to act as Artificers under the Command of General *Stanwix*, in which Service they were employed, and suffered great Hardships from the 23<sup>d</sup> of *June* until the 10<sup>th</sup> of *December* 1759, without receiving any other Satisfaction than the Ordinary Pay; and praying the Consideration of the House, was presented to the House and read, and referred to the Consideration of the next Session of Assembly.

That a *Petition* of *Bolling Starke*, Executor of *Baxter Davis*, deceased, praying to be allowed the Value of a Slave lately belonging to the Estate of the said Deceased, which

which was condemned and executed for Felony, and omitted to be allowed in the laſt publick Levy, was preſented to the Houſe and read, and referred to the Conſideration of the next Seſſion of Aſſembly.

That a *Claim* of *Henry Settle*, for taking up a Deferter; alſo the ſeveral *Claims* of *Hillary Bouſhop*, *James Jones*, *Thomas Peobles*, *John Tyas*, *Philip Mallory*, *John Wooten*, *James Finney*, *Samuel Aſhley*, *William Speller* (Affignee of *Joſeph Morris*) *John Roberts*,  
 34 *Thomas Cooper*, *Reubin Straughan*, *John Taylor*, *William Willie*, Clerk, *James Wren*, *James Fawn*, *John Halcombe*, *John Dudley*, *William Cockerham*, *Gerard Ridley*, *James Terry*, *James Bell*, *John Anderſon*, *Abraham Womack*, *Thomas Garner*, *William Farrow*, *Hudſon Brown*, *Philip Carberry*, *Thomas Maſhall* and *George Radford*, for taking up Runaways, were preſented to the Houſe and received, and referred to the Conſideration of the next Seſſion of Aſſembly.

It alſo appears to this Committee, that all ſuch Propoſitions and Claims as were referred from any of the former Seſſions of this Aſſembly, and all ſuch Propoſitions and Claims as were certified to the laſt Seſſion of Aſſembly, ſhould be referred to the Conſideration of the next Seſſion of Aſſembly.

*Ordered*, That the Petition of *James Barbour*, complaining of an undue Election and Return of Mr *Henry Pendleton* to ſerve as a Burgeſs in this preſent General Aſſembly, mentioned in the ſaid Report, be referred to the Committee of Privileges and Elections. That all publick Claims referred from the ſeveral Seſſions of Aſſembly, in the ſaid Report expreſſed, to the Conſideration of this Seſſion of Aſſembly; alſo the Petition of *Leonard Leechman*, *Abraham Mauray*, *Alexander Sayers*, *Thomas Roy*, *Clement Norman*, *Chriſtopher Hudſon*, *John Palmer*, *Elizabeth Burk*, *Edward Hubbard*, *James Gunn* and *Bolling Starke*; therein ſet forth, be referred to the Committee of Claims; and that the ſeveral Propoſitions therein mentioned, referred to the Conſideration of this Seſſion of Aſſembly, be referred to the Committee of Propoſitions and Grievances.

A Meſſage from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governour has commanded me to lay before your Houſe the ſeveral Letters from his Excellency Major-General Amherſt and others, mentioned in his Honour's Speech.*

And the ſaid Letters were read, and ordered to lie on the Table.

Several *Petitions* of fundry Inhabitants of the Pariſh of *Elizabeth River*, in the County of *Norfolk*, complaining of the many Inconveniencies they are under by Means of the large Extent of the ſaid Pariſh; and praying that the ſaid Pariſh may be divided.

Alſo a *Petition* from the ſame Place, complaining of illegal Practices in the Veſtry of the ſaid Pariſh; and praying that the ſaid Veſtry may be diſſolved, were ſeverally preſented to the Houſe and read.

*Ordered*, That the ſaid Petitions be referred to the Conſideration of the Committee of Propoſitions and Grievances; that they do examine into the Allegations thereof, and report the ſame, with their Opinion thereon, to the Houſe.

*Ordered*, That Mr *Dandridge* and Mr *Cary* be added to the Committee of Propoſitions and Grievances.

The *Order* of the Day beng read, for the Houſe to proceed to the Conſideration of the Governour's Speech,

*Reſolved*, That this Houſe will reſolve itſelf into a Committee on the ſaid Speech.

*Ordered*, That the ſeveral Letters above mentioned, this Day laid before the Houſe by Command of this Honour the Governour, be referred to the Conſideration of the ſaid Committee.

35 And then the Houſe reſolved itſelf into a Committee on the ſaid Speech and Letters; and after ſome Time ſpent therein, Mr *Speaker* reſumed the Chair, and Mr *Charles Carter* reported that the Committee had had the ſaid Speech and Letters under their Conſideration, and had come to a Reſolution thereon, which he read in his Place, and then delivered

in



in at the Table, where it was again twice read, and agreed to by the House, as follows:

*Resolved*, That the Regiment now in the Service of this Colony be recruited to 1000 Men, and further continued.

Mr *Carter* also informed the House that the Committee, not having Time to go through the said Speech, had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Speech on *Thursday* next.

On a Motion made,

*Resolved*, That an Address be prepared to his Excellency Major-General *Amherst*, and it is referred to Mr *Attorney* and Mr *Bland* to prepare and bring in the same.

*And then the House adjourned until Tomorrow Morning Eleven o'Clock.*

## Wednesday, the 11th of March, 1 Geo. III. 1761.

**S**EVERAL *Petitions* of sundry Inhabitants of the County of *Chesterfield* and *Henrico*, praying that a Ferry may be established from the land of *William Allen Burton*, in *Chesterfield*, over *James River*, to the Land of *Thomas Mann Randolph*, Gent. in *Henrico*.

Also several *Petitions* of sundry Inhabitants of *Raleigh Parish*, in *Amelia*, in Opposition to a Petition heretofore presented to this Assembly for dividing the said Parish, and dissolving the Vestry thereof.

Also a *Petition* of the Justices of *Bedford*, praying that the Court Day of that County may be altered, it being very inconvenient to the Inhabitants at present.

Also a *Petition* from sundry Inhabitants of *Prince Edward County*, setting forth that they are deprived of the Benefit of the Fisheries they formerly enjoyed in the upper Part of *Appomattox River* and its Branches, by Means of sundry Mills lately built thereon; and praying that the Owners of such Mills may be obliged to keep Slopes in their Dams, for the Passage of Fish; were severally presented to the House, and read.

*Ordered*, That the said Petitions be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Several *Claims* of *David Lamey*, *James Abbot*, *Zachariah Pulliam*, *Charles Colay*, *John Hundley*, *James Lankford*, *Francis Bickley*, *Isaac Perrin*, *William Harrison*, *John Claiborne*, *William and Griffin Garland*, *John Pennick*, *Joseph Ward*, *William Gresham* and *Jeremiah Bowles*, for taking up Runaways therein mentioned.

Also a *Claim* of *James Parsons* for taking up a Defenter therein mentioned.

Also sundry *Accounts* from divers Persons of the County of *Bedford*, for Provisions furnished the Militia drawn out into actual Service; were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

Mr *Landon Carter*, from the Committee for Courts of Justice, reported that the Committee had, according to Order, examined what Laws have expired since the last Session of Assembly, and inspected such temporary Laws, as will expire at or soon after this Session of Assembly, and had come to several Resolutions thereon, which he read in his Place, and then Delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Act of Assembly made in the 25<sup>th</sup> Year of the Reign of his late Majesty, King *George II* entitled, *An Act for continuing and amending the Act, entitled, An Act for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs*, which will expire at the End of this Session of Assembly ought to be further continued with Amendments.

*Resolved*, That an Act of Assembly made in the 32<sup>d</sup> Year of his said late Majesty's Reign, entitled, *An Act for further continuing the Act, entitled, An Act for reducing the several Acts for making Provisions against Invasions and Insurrections into one Act*, which will expire on the 8<sup>th</sup> Day of *June* next, ought to be further continued.

*Ordered*, That a Bill or Bills be brought in pursuant to the said Resolutions, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.



A *Petition* of *John Peter, Jun.* setting forth that he was formerly a Soldier of the *Virginia* Regiment, and in *May 1759* a Detachment, of which he was one, was attacked by a large Body of *French* and *Indians*, when he was wounded and taken Prisoner, and sent to *Venango*; and, after being carried about through different *French* Forts, was at last lodged at *Niagara*, where he was in Captivity when that Place was surrendered to *Sir William Johnson*, by whom he was discharged, and sent hither: That he has been in most of the Engagements that happened since he entered into the Service, and when he was taken Prisoner, three Months Pay was due to him; and praying the Consideration of the House, was presented to the House, and read.

Ordered, That the said *Petition* be referred to *Mr Cabell*, *Mr Payne* and *Mr John Smith*; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

*Mr Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration several *Petitions* and *Propositions* to them referred, and had come to several *Resolutions* thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

Resolved, That the *Petition* of *Thomas Roy*, praying to be reimbursed the Expences he has been at in building a Wharf for the Use of the Publick at *Roy's* Warehouses, in the County of *Caroline*, is reasonable; and that the said *Thomas Roy* ought to be allowed the Sum of £25 for the same, to be paid by the Publick.

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Resolved, That the *Petition* from sundry Justices of the County of *Middlesex*, praying that a new Collection of the several Acts of Assembly passed since the Revival\* of the Laws in 1748, and now in Force, may be provided, be rejected.

Resolved, That the *Petition* of sundry Inhabitants of the Town of *Winchester*, praying that an Act may pass to prevent Hogs running at large in the said Town, be rejected.

Resolved, That the *Petitions* of *Robert Harper*, and sundry Inhabitants of the County of *Frederick*, praying that an Act may pass for establishing a Ferry from the Land of the said *Harper* over *Potowmack* River to his Land on the opposite Side, in the Province of *Maryland*, is reasonable.

Resolved, That the *Petition* of the Clerks of the Counties of *Augusta*, *Frederick* and *Hampshire*, praying that their Fees may be enlarged, ought to be referred to the Consideration of the next Session of Assembly.

Resolved, That the *Petition* of sundry Inhabitants of the upper Part of *Brunswick* County, and lower Part of *Lunenburg* County, on both Sides of *Meherrin* and *Nottoway* Rivers, praying that an Act may pass to oblige Persons having Hedges, Stone Stops and Mills, across those Rivers, to make Slaunts therein, so as that the Fish may pass up the Rivers, is reasonable.

Resolved, That the *Memorial* of the Officers of the *Virginia* Regiment, praying that Provisions may be made for their future Support, ought to be referred to the Consideration of the next Session of Assembly.

Resolved, That the *Petition* of sundry Inhabitants on both sides of the *Fluvanna* River, in the County of *Albemarle*, praying that a Ferry may be established from the Land of *William Cabell*, on the North Side of the said River, to the South Side, at a Place called *Hughes's Valley*, is reasonable.

Resolved, That the *Petition* of sundry Inhabitants of the County of *Hanover*, praying that the said County may be divided, be rejected.

Ordered, That it be an Instruction to the Committee of Claims to make an Allowance to the said *Thomas Roy* in the Book of Claims, pursuant to the first Resolution.

Ordered, That Bills be brought in pursuant to the 4<sup>th</sup>, 6<sup>th</sup> and 8<sup>th</sup>, Resolutions, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

And then the House adjourned until To-morrow Morning Eleven o'Clock.

Thursday.

\* "Revisal" is the word intended.

Thursday, the 12th of March, 1 Geo. III. 1761.

**O**RDERED, That Mr *Baylor* be added to the Committees of Privileges and Elections and Propositions and Grievances, Mr *Lewis* to the Committee of Propositions and Grievances and Trade; Mr *Eppes*, Mr *Fleming*, Mr *Allen*, and Mr *Robinson*, to the Committee of Propositions and Grievances; Mr *Carrington* to the Committee of Claims and Courts of Justice, and Mr *Johnston* to the Committee of Claims. 38

A *Petition of John Jones*, setting forth that he hath built a Wharf at the publick Warehouses at *Hampton* for shipping off Tobacco, for which there was an Offer of £40 to be paid by the County, and about £20 Subscription; that after it was finished he applied to the Court for the £40 only, though it cost him much more than £60, but they have refused to pay him; and praying the Consideration of the House therein.

Also a *Petition of Elizabeth Buchanan*, praying to be allowed for a Slave who was committed to *Gloucester* Gaol for a Burglary, but before Trial was burned to Death in the said Gaol; were severally presented to the House, and read.

Ordered, That the said Petitions be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to with an Amendment, as follow:

*Resolved*, That the *Petition of William Blackwell*, to be paid by the Publick for his Slave, in the said *Petition* mentioned who being outlawed; and refusing to surrender; was killed, is reasonable and that he ought to be allowed the Sum of £50 for the said Slave.

*Resolved*, That the *Petition of Elizabeth King* is reasonable, and that she ought to be paid by the Publick the Sum of £70 for the Slave in her *Petition* mentioned.

*Resolved*, That the *Petition of Clement Norman* is reasonable, and that he ought to be allowed the sum of £5 to reimburse him the Expence he was at to a Doctor for attending his Son, the Publick having already paid the Sum of £6 to two other Doctors for the like Service.

*Resolved*, That the *Petition of Roger Wigginton*, to be paid for a Gun impressed in his Majesty's Service, is reasonable; and that he ought to be allowed the Sum of £4 for the said Gun.

*Resolved*, That the *Petition of Bolling Starke*, Executor &c of *Baxter Davis*, deceased, to be allowed for a Slave belonging to the said *Davis's* Estate who was condemned and executed for Felony, but not paid for at the last Levy, the Certificate of his Condemnation being mislaid, is reasonable; and that he ought to be paid the Sum of £80, for the Slave in his *Petition* mentioned.

*Resolved*, That the *Petition of Edward Hubbard* and *James Gunn* be rejected.

Ordered, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the *Petition of the Inspectors at Royston's Warehouse in Spotsylvania*, praying that their Salaries may be increased, be rejected. 39

*Resolved*, That the *Petition of fundry Inhabitants of the County of Accomack*, and others trading there, praying that the Time now by Law directed for receiving and inspecting



inspecting Tobacco may be shortened, and that Inspectors may be obliged to make Transfer Hogheads of Tobacco weighing 1000 lb. neat, be rejected.

*Resolved*, That the Petition of fundry Inhabitants of the County of *Prince Edward*, praying that the Owners of Mills, Hedges and Stone Stops, on the River *Appomattox* and its Branches, may be obliged to leave Slopes in the same for the Passage of Fish, is reasonable.

*Resolved*, That the Petition of fundry Inhabitants of the *Northern Neck*, praying that the Duty on Slaves of Twenty per Cent. may be reduced to Five per Cent. be rejected.

*Resolved*, That the Petition of the Justices of *Bedford* County, praying that the Court Day of that County may be altered from the 4<sup>th</sup> *Monday* to the 4<sup>th</sup> *Tuesday* in every Month, is reasonable.

*Ordered*, That a Bill or Bills be brought in pursuant to the last Resolution, and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same; and that it be an Instruction to the same Committee, to whom it is referred to bring in a Bill for obliging the Owners of Mills, Hedges and Stone Stops, in *Nottoway* and *Meherrin* Rivers, to have Openings therein for the Passage of Fish, to receive a Clause or Clauses pursuant to the third Resolution.

Mr *Attorney* reported that the Committee appointed had, according to Order, drawn up an Address to his Excellency Major-General *Amherst*, pursuant to the Resolution of the House on *Tuesday* last; and he read the same in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the House.

*Ordered*, That the said Address be fairly transcribed, and signed by the Speaker; and that the Committee who prepared the same wait on his Honour the Governour, and desire that he will be pleased to transmit the same to his Excellency by Express.

Mr *Cabell* reported that the Persons to whom the Petition of *John Peter* was referred had had the same under their Consideration, and had agreed on a Report, and come to a Resolution thereon; which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, with an Amendment, as follows:

It appeared to your Committee that the said *John Peter* was a Soldier in the *Virginia* Regiment, and in the Engagement under Capt. *Thomas Bullett* behaved bravely; but, receiving a wound in the Thigh, he was taken Prisoner by the *French*, and suffered great Hardships during his Captivity.

*Resolved*, That the said *John Peter* ought to be paid the Sum of £15 by the Publick.

*Ordered*, That it be an Instruction to the Committee of Claims to make an Allowance to the said *John Peter*, pursuant to the said Resolution.

A Petition of *Thomas Mann Randolph*, setting forth that he is possessed of a Tract of Land on *James* River, in *Henrico* County, called *Farrar's Island*; and also of a Lot of Land in the Town lately laid off on the late Glebe of *Dale Parish*, in *Chesterfield*; and that, supposing it will be necessary that a Ferry should be established from that Town over the River, the Petitioner will be put to the great Inconvenience of having a Road through a very valuable Part of his Estate; and praying that, if such a Ferry should be established, he may have the Benefit thereof, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

The Order of the Day being read for the House to resolve itself into a Committee, to take into their further consideration the Governour's Speech:

*Resolved*, That this House will again resolve itself into the said Committee on *Monday* next.

And then the House adjourned until To-morrow Morning Eleven o'Clock.

**Friday.**



Friday, the 13th of March, 1 Geo. III. 1761.

SEVERAL Claims of *Joseph Row*; *William Sanderson*, *Tandy Dife*, *Robert Brook- ing* and *George Penticoaste*, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

A *Petition* of fundry Inhabitants of the County of *Cumberland*, setting forth the Inconveniences they labour under in the present prevailing Practices of Inspectors of Tobacco at the Warehouses at or near the Falls of *James River*; complaining of their iniquitous Methods of hiring People, at the Proprietors Expence, to uncase Tobacco for their View, and refusing to inspect Tobacco until it is so prepared for them; of the illegal and oppressive Behaviour of Persons called Pickers attending those Warehouses, and also of the scanty Room allowed for the Reception of Tobacco at most of the said Warehouses; and praying that these Evils may be prevented by an Act to restrain the Pickers to a certain limited Number, to be nominated by the County Courts; that the Proprietors of Warehouses, or the County Courts, may be obliged to allot more Room for the Reception of Tobacco, and that the Inspectors may be obliged to keep Books in which they shall enter the Mark, Number and Proprietor's Name, of every Hoghead of Tobacco delivered to them for Inspection, and give a Receipt for the same, if demanded.

Also a *Petition* of fundry other Inhabitants of the said County of *Cumberland*, and others who carry their Tobacco to the Warehouses near the Falls of *James River*, to the same Purpose.

Also several *Petitions* of the respective Inspectors at *John Bolling's*, *Rocky Ridge* <sup>41</sup> and *Osborne's*, Warehouses in *Chesterfield*, and at *Bolling's Point* in *Dinwiddie*, setting forth that the Quantity of Tobacco brought to their Respective Warehouses is of late Years greatly increased, and their Trouble of Course increased; and praying that their Salaries may be increased, were severally presented to the House and read.

Ordered, That the said *Petitions* be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, respectively, and report the same, with their Opinions thereon, to the House.

Mr *Pendleton* presented to the House, according to Order, a Bill To empower the Executors of the Will of *Gawin Corbin*, Gent. deceased, to sell certain entailed Lands and Slaves, for the Payment of his Debts, and for settling other Lands of greater Value to the same Uses; and the same was read the first Time, and ordered to be read a second Time.

On a Motion made,

Ordered, That Leave be given to bring in a Bill To continue and amend the Act passed in the 19<sup>th</sup> Year of the Reign of his late Majesty King *George II.* entitled, *An Act for the better regulating and collecting certain Officers Fees, and other Purposes therein mentioned*; and it is referred to Mr *Bland* and Mr *Pendleton* to prepare and bring in the same.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions to them referred, and had come to several Resolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

Resolved, That it is the Opinion of this Committee that the several *Petitions* of *William Allen Burton*, and fundry Inhabitants of the Counties of *Chesterfield* and *Henrico*, praying that a Ferry may be established from a Lot belonging to the said *Burton*, in a Town lately laid out in the said County of *Chesterfield*, over *James River*, to the Land of *Thomas Mann Randolph*, Gent. in the said County of *Henrico*, be rejected.

Resolved, That it is the Opinion of this Committee that the *Petition* of the said *Thomas Mann Randolph*, praying that a Ferry may be established from a Lot belonging to him, in the Town above mentioned, over *James River*, to his Land called *Farrar's Island*, in the said County of *Henrico*, is reasonable.

The first Resolution, being read a second Time, was agreed to by the House.

The

The *second* Resolution, being also again read, was disagreed to by the House.

*Resolved*, That the Petition of the said *Thomas Mann Randolph* be rejected.

Mr *Attorney* reported that the Committee appointed had, according to Order, waited on the Governour with the Address of this House, to desire his Honour to transmit their Address to his Excellency Major-General *Amherst*; to which his Honour was pleased to answer, that he would immediately send it by Express.

<sup>42</sup> *Ordered*, That Mr *Gaines* and Mr *Claiborne* be added to the Committee for Courts of Justice.

*And then the House adjourned until Tomorrow Morning Eleven o'Clock.*

## Saturday, the 14th of March, 1 Geo. III. 1761.

MR. *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For altering the Court Day of the County of *Bedford*.

*Also a Bill* For further continuing an Act, entitled, *An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*.

And the said *Bills* were severally read the first Time, and ordered to be read a second Time.

Several *Claims* of fundry Inhabitants of the County of *Augusta*, and of *Robert Hasty* and *James Wimbish*, for Provisions and other Necessaries furnished the Troops in the Service of this Colony.

*Also a Claim* of *Francis Tomkies* for taking up a Runaway therein mentioned, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

*Ordered*, That Mr *Clack* be added to the Committee of Claims; Mr *Wormeley* to the Committees of Privileges and Elections and Propositions and Grievances; Mr *Henry Lee*, Mr *Braxton* and Mr *James Taylor*, to the Committee of Propositions and Grievances.

Mr *Bland*, from the Committee appointed, presented to the House, according to Order, a Bill To continue and amend an Act, entitled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*; and the same was read the first Time, and order to be read a second Time.

A *Petition* of fundry Inhabitants of the Parish of *Dettingen*, in Opposition to a Petition from the Inhabitants of the Parish of *Hamilton*, in the same County, praying that Part of their Parish may be added to the said Parish of *Dettingen*.

*Also a Petition* of fundry Proprietors of Lands contiguous to the Town of *Dumfries*, in *Prince William*, praying that the said Town may be enlarged, by taking in about 50 Acres of their Lands, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

A *Petition* of *John Goff*, praying to be allowed for a Mare taken from him by the *Cherokee Indians*, in their March through the County of *Albemarle*, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinion thereon, to the House.

<sup>43</sup> Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of the Vestry of the Parish of *Fredericksville*, in the County of *Louisa*, praying that the said Parish may be divided, by extending the Line that



that divides the said Parish from that Part of *St Anne's* Parish which lies on the north Side of the *Rivanna*, and continuing the same to the Line of *Orange* County; and that all that Part of the said Parish of *Fredericksville* which lies above the said Line may be erected into a New Parish, is reasonable.

*Resolved*, That the Petition of fundry Inhabitants of the Town of *Onancock*, in the County of *Accomack*, praying that an Act may pass for laying out the said Town anew, in order to prevent Disputes that may arise between Persons who are desirous of entering for Lots in the said Town, and those who have formerly saved any Lots there by Buildings now gone to Destruction, be rejected.

*Ordered*, That it be an Instruction to the said Committee to bring in a Bill, or Bills, pursuant to the first Resolution.

*And then the House adjourned until Monday Morning Eleven o'Clock.*

## Monday. the 16th of March. 1 Geo. III. 1761.

**A** Bill To empower the Executors of the Will of *Gawin Corbin*, Gent. deceased, to sell certain entailed Lands and Slaves for the Payment of his Debts, and for settling other Lands of greater Value to the same Uses, was read a second Time, and committed to Mr *Pendleton*, Mr *Baylor*, and the Members for *Lancaster*.

A Petition of *Archibald Cary*, setting forth that he is seized of 306 Acres of Land in *Chesterfield*, in Fee Taille, and is also seized of a Tract of Land called *Buckingham* in *Albemarle* in Fee Simple, and that it will be to the Advantage of him and his Family to dock the Entail of the Land in *Chesterfield*, and vest the same in him in Fee Simple, and settle in Lieu thereof Part of the said Land in *Albemarle*, being of greater Value, to the same Uses, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Wythe* to prepare and bring in the same.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *Ephraim Vaux*, to be paid for the Timber made Use of in building a Fort on his Land, is reasonable; and that he ought to be allowed for the same the Sum of £25.

*Resolved*, That the Petition of *Elizabeth Buchanan*, to be allowed for a Slave committed for a Burglary and burned to Death in Goal before his Trial, is reasonable; and that she ought to be paid the Sum of £80 for the said Slave.

*Resolved*, That the Petitions of *Benjamin Cage* and *Leonard Leachman*, to be paid for their Service in the Militia of the County of *Prince William*, the Account of which was omitted in the Commanding Officer's Return to a former Assembly, is reasonable; and that the said *Benjamin Cage* ought to be allowed the Sum of £5. 8s. and the said *Leonard Leachman* the Sum £4. 17s. for their said Service.

*Resolved*, That the Petition of *Alexander Sayers*, to be paid for the Service of himself and Company, in the Militia of the County of *Augusta*, is reasonable; and that he ought to be allowed the Sum of £380. 8s according to the Account stated and settled by Commissioners appointed by Act of Assembly for that Purpose.

*Resolved*, That the Petition of *Elizabeth Burk*, to be allowed for Provisions furnished the Militia of the County of *Albemarle*, is reasonable; and she ought to be paid the Sum of £3. 12. 4 for the said Provisions.

A Petition of fundry Constables of the County of *King William*, praying to be allowed some Reward for conveying Runaways from Place to Place, which they are by Law obliged to perform, and for which no Fee or Allowance is provided.

*Also*



*Also a Petition of George Brooke and William Frazier, praying that a Ferry may be established from the said Brooke's Land, in King and Queen, over Matapony, to the said Frazier's in King William.*

*Also a Petition of the Inspectors at Blandford, praying that their Salaries may be increased, as the Quantity of Tobacco inspected there is of late greatly increased, were severally presented to the House and read.*

*Ordered, That the said Petition be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof severally, and report the same, with their Opinions thereon, to the House.*

*A Bill For altering the Court Day of the County of Bedford was read a second Time, and committed to Mr Edmunds, and Mr David Mason.*

*A Petition of fundry Inhabitants of the County of Suffex, setting forth that the Court Day of that County as by Law established is very inconvenient, as it interferes with Southampton Court, and also is so late in the Week that the Court cannot go through their Business without adjourning to Monday; and praying that the said Court Day may be altered, was presented to the House and read.*

*Ordered, That it be an Instruction to the Committee to whom the Bill For altering the Court Day of Bedford County is committed, that they receive a Clause or Clauses pursuant to the Prayer of the said Petition.*

*A Claim of Robert Johnston, for taking up a Runaway therein mentioned.*

*Also an Account of David Bell, for enlisting and victualling fundry Soldiers which afterwards deserted.*

*Also an Account of Randolph Depriest, for Provisions furnished a Number of Catawba Indians, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.*

45 *A Bill For further continuing an Act, entitled, An Act for reducing the several Acts for making Provision against Invasion and Insurrections into one Act, was read a second Time.*

*Ordered, That the said Bill be engrossed, and read a third Time.*

*On a Motion made,*

*Ordered, That Leave be given to bring in a Bill To establish a Town lately laid off on the Glebe Land of Dale Parish, in the County of Chesterfield, and for appropriating Part of the said Land for publick Landings, and it is referred to Mr Cary and Mr Eppes to prepare and bring in the same.*

*A Bill To continue and amend an Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned, was read a second Time, and committed to the Committee of Propositions and Grievances.*

*Ordered, That Mr Peyton and Mr Gaines be added to the Committee of Claims; Mr Whiting and Mr Lemuel Riddick to the Committees of Propositions and Grievances, Privileges and Elections, and Trade; Mr Claiborne to the Committee of Propositions and Grievances; Mr Jones to the Committees for Courts of Justice and Claims; Mr Francis Lightfoot Lee to the Committee of Propositions and Grievances; Mr Parramore, Mr Howard and Mr Web, to the Committee of Claims.*

*The Order of the Day being read for the House to resolve itself into a Committee, to take into their further Consideration the Governour's Speech.*

*Resolved, That this House will again resolve itself into the said Committee Tomorrow.*

*And then the House adjourned until To-morrow Morning Eleven o'Clock.*

## Tuesday, the 17th of March, 1 Geo. III. 1761.

**A** *Petition of William Harris, praying to be allowed for a Slave, who, being run away, and having committed several Felonies, was outlawed, and shot in attempting to break open a House.*

*Also a Petition of Thomas Green, praying to be allowed for two Horses impressed into his Majesty's Service, one of which was killed, and the other never returned to him, were severally presented to the House and read.*

*Ordered,*

*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

A *Petition* of fundry Inhabitants of the Counties of *James City* and *Charles City*, praying that the Warehouse for the Inspection of Tobacco at *Hog Neck* may be discontinued, being very inconvenient to Navigation; and that new Warehouses in the Stead thereof may be established at *Barrett's Ferry*, on the Mouth of *Chickahominy River*.

Also a *Petition* of fundry Inhabitants of the Parish of *Raleigh* in the County of *Amelia*, complaining of illegal and oppressive Proceedings in the Vestry of the said Parish, in ordering a greater Number of Churches to be built therein than was necessary; and praying that a late Order of the said Vestry, for building four Churches in the said Parish, may be made void, and a former Order for building two only may be carried into Execution. 46

Also a *Petition* of *William Dunn* and *John Reynolds*, Inspectors at *Hobb's Hole*, in the County of *Effex*, praying that their Salaries may be increased, in Consideration of the great increase of their Business, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

A *Petition* of fundry Inhabitants of the Counties of *King William*, *Hanover*, *Caroline* and *King and Queen*, setting forth that they are deprived of the providential Provision of Fish in the Rivers *Pamunkey* and *Matapony*, by the Prohibition they are under from setting Wires in those Rivers for catching Fish; and praying that an Act may pass to permit them to set such Wires in the fishing Seasons above *Page's Warehouse*, on *Pamunkey*, and *Todd's* on *Matapony*, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in, pursuant to the Prayer of the said Petition; and it is referred to Mr *Gaines*, Mr *Robinson*, Mr *Braxton* and Mr *Dandridge*, to prepare and bring in the same.

The House, according to Order, resolved itself into a Committee, to take into their further Consideration the Governour's Speech; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Speech under their further Consideration, and gone through the same, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Regiment in the Service of this Colony be further continued until the 1<sup>st</sup> Day of *December* next.

*Resolved*, That the Sum of £25,000 be paid by the Treasurer, out of the Money in his Hands arising by Bills of Exchange drawn on *James Abercrombie*, Esq; for the recruiting, Pay and Subsistence, of the said Regiment until the said 1<sup>st</sup> Day of *December* next.

*Ordered*, That a Bill or Bills be brought in, pursuant to the said Resolutions, and also to the Resolution of the Committee agreed to by the House on *Tuesday* last; and it is referred to Mr *Charles Carter*, Mr *Attorney*, Mr *Landon Carter*, Mr *Pendleton* and Mr *Richard Henry Lee*, to prepare and bring in the same.

On a *Motion* made,

*Ordered*, That the Committee of Propositions and Grievances be discharged from preparing Amendments to the Act *For amending the Staple of Tobacco, and preventing Frauds in His Majesty's Customs*; and that they prepare and bring in a Bill for continuing the said Act.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and are as follow: 47

*Resolved*,



*Resolved*, That it is the Opinion of this Committee that the Petition of Mr *Peachey*, in Behalf of himself and the Officers late of the Frontier Battalion, to be allowed a Satisfaction for maintaining the Recruits by them enlisted in the Service, over and above what is now settled by Law, be rejected.

*Resolved*, That it is the Opinion of this Committee that the Petition of *John Goff*, to be paid for a Mare taken and carried away by the *Catawba Indians*, is reasonable; and that he ought to be allowed the Sum of £10 for the said Mare.

*Resolved*, That it is the Opinion of this Committee that the Petition of *John Jones*, to be paid for building a Wharf at *Hampton*, in the County of *Elizabeth City*, for the Warehouse established there, is reasonable, and that he ought to be allowed the Sum of £40 by the Publick for building the said Wharf.

On Consideration of the *Petition* of the Inspectors at *Davis's* Warehouse, in the County of *Lancaster*, it appears to your Committee that the said Warehouse was well secured by the said Inspectors, one of the Doors being locked and the other Bolted on the Inside, and the Bolt fastened with a Nail; that the Door which was bolted was broke open in the Night, and the Tobacco mentioned in the Petition stolen out of the said Warehouse.

*Resolved*, That it is the Opinion of this Committee that the said Petition be rejected.

The *three* first Resolutions being read a second Time, and the Questions severally put that the House agree thereto,

*Resolved* in the Affirmative.

The *last* Resolution being also read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

*Ordered*, That the Petition of the Inspectors therein mentioned be re-committed to the said Committee, and that it be an Instruction to the said Committee to value the Tobacco mentioned in the said Petition in Money, and report the same to the House.

*Ordered*, That it be an Instruction to the said Committee to make Allowances in the Book of Claims, pursuant to the second and third Resolutions.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Petitions and Propositions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

*Resolved*, That it is the Opinion of this Committee that the Petition of *Stephen Pankey* and *Olive Branch*, Inspectors at the Warehouses at *Rocky Ridge*, in the County of *Chesterfield*, praying to be allowed an additional Reward, over and above their Salaries, in Consideration of the Increase of their Business for the last Year, is reasonable; and that each of the said Inspectors ought to be allowed the further Sum of £10 for their said Services.

48 *Resolved*, That it is the Opinion of this Committee that the Petition of *William Moseley* and *William Bafs*, Inspectors at *Osborne's*, in the County of *Chesterfield*, praying to be allowed an additional Reward over and above their Salaries, in Consideration of the Increase of their Business for the last Year, is reasonable; and that each of the said Inspectors ought to be allowed the further Sum of £5, for their said Services.

*Resolved*, That it is the Opinion of this Committee that the Petition of *John Dabney* and *David Smith*, Inspectors at *Bolling's Point* Warehouses, in the County of *Dinwiddie*, praying to be allowed an additional Reward, over and above their Salaries, in Consideration of the Increase of their Business for the last Year, is reasonable; and that each of the said Inspectors ought to be allowed the further Sum of £15, for their said Services.

*Resolved*, That it is the Opinion of this Committee that the Petition of *John Lewis* and *William Brown*, Inspectors at *Blandford* Warehouse, in the County of *Prince George*, praying to be allowed an additional Reward besides their Salaries, in Consideration of the Increase of their Business for the two last Years, is reasonable; and that each of the said Inspectors ought to be allowed the further Sum of £20, for their said Services.

The



The *two* first Resolutions being read a second Time, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative,

The *two* last Resolutions being also read a second Time, and the Question severally put that the House agree thereto,

It passed in the Negative.

*Ordered*, That the Petitions mentioned in the said two last Resolutions be recommended to the said Committee.

*And then the House adjourned until Tomorrow Morning Eleven o'Clock.*

## Wednesday, the 18th of March, 1 Geo. III. 1761.

**M**R. *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *Thomas Green*, to be paid for a Horse and Mare impressed in the Service and lost, is reasonable; and that he ought to be allowed the Sum of £25 for the said Horse and Mare.

*Resolved*, That the Petition of *Christopher Hudson*, to be allowed for a Month's Pay as a Captain of the Militia on the Frontiers of this Colony while absent from his Garrison, is reasonable; and that he ought to be paid the Sum of £9. 6 for his said Service, it appearing that he came down to his Honour the Governour for Instructions.

*Resolved*, That the Petition of *William Harris*, to be allowed for a Slave who was outlawed and shot, is reasonable; and that he ought to be paid the Sum of £100 for the said Slave.

On Consideration of the Petition of *Abraham Murray*, it appears to your Committee 49 that the said *Murray* had contracted with his Honour the Governour to supply all the Forces stationed in the Counties of *Bedford* and *Halifax*, with Provisions, which he laid in according to the said Contract; that the Militia stationed at the several Forts in the said Counties were disbanded, and the Forts ordered to be garrisoned by the Rangers under the Command of Major *Lewis*; that between the disbanding of the said Militia and the Rangers garrisoning the said Forts a considerable Quantity of Provisions, to the Amount of £72. 1. 0, was stolen and embezzled.

*Resolved*, That the said *Abraham Murray* ought to be paid for the said Provisions by the Publick.

*Ordered*, That it be an Instruction to the Committee of Claims to make Allowances in the Book of Claims, pursuant to the first and third Resolutions.

A Petition of *Abel Farrar*, setting forth that as a Lieutenant in the Forces raised last Year he enlisted 21 Men, three of which were rejected by the Commanding Officer when he carried them to the general Rendezvous, one on account of his Indisposition, which he had contracted in the March; that the other two were found healthy young Men: That he had paid these Recruits £20, in part of their Bounty Money, which he has no Prospect of ever recovering, and praying the Consideration of the House therein.

Also a Petition of *David Richardson* and *John Dabney*, Inspectors at *Page's* in *Hanover*, praying to be allowed for two Hogheads of Tobacco stolen out of the said Warehouse, for one which they have been since obliged to pay the Proprietor £12. 12. 6, and for the other £29. 8. 0.

Also a Petition of *Nathaniel Talley*, an Inspector of *Crutchfield's*, praying to be allowed for two Hogheads of Tobacco stolen out of the said Warehouse, for one of which the Proprietor recovered against him £10. 4. 7, with 15s. and 1315 lb. of Tobacco, Costs of Suit; and for the other the Proprietors recovered £11. 17. 6 and 15s. and 794 lbs.

of

of Tobacco, Cofts of Suit; which he has fince been alone obliged to pay, his Fellow Infpector dying after the Tobacco was ftolen, but before the above Judgments were obtained; were feverally prefented to the Houfe and read.

*Ordered*, That the faid Petitions be referred to the Committee of Propofitions and Grievances; that they examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

*Ordered*, That Mr *Read* be added to the Committee of Claims.

A *Petition* of *Burwell Baffet*, Gent. praying to be allowed for a Wharf built by him at the publick Warehouse at the Brick Houfe, purfuant to an Order of *New Kent* County Court, for which he has not received any Satisfaction, was prefented to the Houfe and read.

*Ordered*, That the faid Petition be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the fame, with their Opinions thereon, to the Houfe.

Mr *Harrifon*, from the Committee of Trade, reported that the Committee had had under their Confideration a Petition of fundry of the Traders and Inhabitants of this Colony, complaining of the pernicious Trade carried on by Pedlars in the frontier Counties of this Colony, and praying that an Act may pafs to fupprefs them.

<sup>50</sup> *Alfo* a *Petition* of fundry Merchants and Traders, in the County of *Prince William*, to the fame Purpose; and had come to a Refolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houfe as follows:

*Resolved*, That the faid Petitions be rejected.

On a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony, and it is referred to Mr *Pendleton* and Mr *Bowler Cocke* to prepare and bring in the fame.

Mr *Gaines*, from the Committee appointed, prefented to the Houfe, according to Order, a Bill To amend an Act, entitled, *An Act for clearing of Rivers and Creeks*; and the fame was read the firft Time, and ordered to be read a fecond Time.

Mr *Charles Carter*, from the Committee of Propofitions and Grievances, prefented to the Houfe, according to Order, a Bill For further continuing the feveral Acts of Affembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majefty's Customs; and the fame was read the firft Time, and ordered to be read a fecond Time on *Tuesday* next.

*Ordered*, That there be a Call of the Houfe on *Tuesday* next.

*And then the Houfe adjourned until To-morrow Morning Eleven o'Clock.*

## Thursday. the 19th of March. 1 Geo. III. 1761.

A *Petition* of *John Graham*, Clerk of *Prince William*, praying that the Deduction now made by Law of 20 per Cent. from the Tobacco Fees of the Officers of that County may be reduced.

*Alfo* a *Petition* of fundry Inhabitants of *Prince William*, in Behalf of themfelves and alfo of the Inhabitants of the Town of *Dumfries*, and of the Counties of *Fauquier* and *Loudoun*, fetting forth the Quantity of Tobacco is of late greatly increafed at *Quantico* Warehouse, which is not fufficient to receive the Tobacco brought to it: That there is a new Road opened from the back Inhabitants to *Murray's* Landing on *Quantico*, which is more dry and convenient than the Road leading to the prefent Warehouse; and praying that new Warehousef may be erected on the Lands of *Bertrand Ewell* and *John Murray*, on the faid Creek; were feverally prefented to the Houfe and read.

*Ordered*, That the faid Petitions be referred to the Committee of Propofitions and Grievances; that they examine into the Allegations thereof refpectively, and report the fame, with their Opinions thereon, to the Houfe.

On



On a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To amend an Act made in the 22<sup>d</sup> Year of the Reign of his late Majesty, entitled, *An Act for preventing Frauds in the Customs and in clearing of Ships, for ascertaining Collectors and Navel Officers Fees, and to prohibit and prevent the casting Ballast or dead Bodies into Rivers or Creeks.*

Also one other Act made in the 22<sup>d</sup> year of his said late Majesty's Reign, entitled, *An Act concerning Seamen*; and it is referred to the Committee of Trade to prepare and bring in the same. 51

A Bill To amend an Act, entitled, *An Act for clearing of Rivers and Creeks*, was read a second Time, and committed to Mr *Gaines*, Mr *Wythe*, Mr *Robinson*, Mr *Braxton* and Mr *Dandridge*.

A *Petition* of fundry Persons, complaining of the frequent Violations of an Act of Assembly for clearing *Pamunkey* River, by Persons setting up Hedges, Traps and Stops therein, for catching Fish; and praying that some Method may be fallen on to prevent such Practices for the future, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Committee last above mentioned; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, to whom the Bill To continue and amend an Act, entitled, *An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House, with an Amendment.

*Ordered*, That the said Bill with the Amendments as amended be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee appointed, presented to the House, according to Order, a Bill For recruiting and further continuing the Regiment in the Service of this Colony; and the same was read the first Time, and ordered to be read a second Time.

On a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For fitting out an armed Vessel for the Protection of the Trade of this Colony, and it is referred to the Committee of Trade to prepare and bring in the same.

Mr *Wythe* presented to the House, according to Order, a Bill To dock the Entail of certain Lands whereof *Archibald Cary*, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *Francis Kirtly*, setting forth that the Committee appointed by this House in September 1758 allowed him for a Quantity of Provisions he had purchased for the Use of a Company of Militia stationed in *Augusta*, for which they gave him a Certificate; which being since lost, they have refused to give him another, left such a Practice might subject the Publick to Impositions, and praying the Consideration of this House therein.

Also a *Petition* of the Justices of *York* County, setting forth that the Rents of the Warehouses at *York* are not sufficient to reimburse them for building the said Warehouses and keeping them in Repair; and also that they have lately built a Wharf at the said Warehouse, and praying the Consideration of the House.

Also a *Petition* of *John Smith*, praying that an Allowance may be made to a Sergeant and two Privates of a Company of Militia, under his Command in the Years 1755 and 1756, whose Names were omitted to be entered in the Muster Roll laid before a Committee of this House at a former Session; were severally presented to the House and read. 52

*Ordered*,



*Ordered*, That the said Petitions be referred to the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

A *Claim* of *John Ferguson*, for taking up a Runaway therein mentioned, was presented to the House and received, and referred to the Consideration of the Committee of Claims.

On a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To continue and amend an Act, entitled, *An Act for reducing the several Acts made for laying a Duty on Liquors into one Act*; and it is referred to the Committee of Trade to prepare and bring in the same.

*Ordered*, That Mr *Wager* be added to the Committee of Trade.

On a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill For vesting certain Lands in *Philip Johnson*, Gent, and adding the same to the City of *Williamsburg*; and it is referred to Mr *Waller* to prepare and bring in the same.

A *Petition* of *Carter Henry Harrison*, setting forth that he is seized in Fee Taille, under the Will of *Robert Carter*, Esq; deceased, of 1700 Acres of Land, commonly called *Scotland Neck*, in *Surry*; and that it would be greatly to his Advantage to dispose of the said Lands, and lay out the Money arising from the Sale thereof in other Lands, to be settled to the same Uses; and that for this Purpose he has agreed with Mr *John Cocke* to sell him the said Lands for £1000, the full Value thereof, provided an Act of Assembly can be obtained to dock the said Entail, and that the Heir in Reversion is consenting to the same; and praying that an Act may pass for this Purpose, was presented to the House and read.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Attorney* to prepare and bring in the same.

A *Motion* being made, and the Question put that Leave be given to bring in a Bill For encouraging Persons to transport Timber from the Heads of the Rivers of this Colony down to Navigation.

It passed in the Negative.

And then the House adjourned to One o'Clock Tomorrow Afternoon.

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## Good Friday, the 20th of March, 1 Geo. III. 1761. P. M.

ON a *Motion* made,

*Ordered*, That Leave be given to bring in a Bill To empower the Vestry of the Parish of *Antrim*, in the County of *Halifax*, to sell their Glebe in the said Parish, and to apply the Purchase Money towards buying another Glebe more convenient; and it is referred to Mr *Terry* to prepare and bring in the same.

53

Mr *Edmunds* reported that the Committee to whom the Bill For altering the Court Day of the County of *Bedford* was Committed had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the said Bill with the Amendments be engrossed, and read a third Time.

Several *Claims* of *William Thompson*, *William Talley* and *John Bayley*, for taking up Runaways therein mentioned, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

A *Petition* of *Mary Ingles*, setting forth that in the Year 1756 she was with her Husband in *Fort Vaux* in *Augusta*, when he was killed and she carried into Captivity by the *Indians*, amongst whom she was barbarously treated; and on her Return into the Colony, she found her House and her whole Effects burned, and was thereby reduced to the utmost Distress, since which she has been supported entirely by the charitable Contributions

Contributions of the Well disposed; and praying Relief of the House, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

An engrossed *Bill*, entitled, *An Act for further continuing an Act, entitled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act*, was read the third Time, and a Blank therein filled up.

*Resolved*, that the Bill do pass.

*Ordered*, That Mr Charles Carter do carry up the said Bill to the Council, for their Concurrence.

A *Petition* of the Inspectors at Page's Warehouse, in Hanover, praying to be allowed for a Hoghead of Tobacco weighing 1200 lb. neat, which in August last they inspected for the Hon. William Nelson, Esq; and which they conclude was stolen, as it was not shipped from thence, and there is not another left in Lieu of it; was presented to the House and read, and the Question being put that the said Petition be referred to a Committee,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

Mr Waller presented to the House, according to Order, a Bill For vesting certain Lands therein mentioned in Philip Johnson, Gent. adding the same to the City of Williamsburg, and for other Purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

An engrossed *Bill*, entitled, *An Act to continue and amend an Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr Charles Carter do carry up the said Bill to the Council for their Concurrence.

Mr Charles Carter, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of sundry Inhabitants of the County of Augusta, in Opposition to a Petition of the Clerks and other Officers of the said County of Augusta, and of the Counties of Frederick and Hampshire, praying that they may be at Liberty to receive their Tobacco Fees in like Manner as other the like Officers in this Colony, be rejected.

*Resolved*, That the Petition of William Tawhaw and others, Part of the Tribe of Pamunkey Indians, praying that the Act of Assembly made in the 32<sup>d</sup> Year of his late Majesty's Reign, entitled, *An Act for vesting certain Lands belonging to the Pamunkey Indians in Trustees, to be leased out for their Benefit*, may be repealed, be rejected.

*Resolved*, That the Allegations of the Petition of Abel Farrar, Praying to be reimbursed the Bounty Money by him paid to three Recruits whom he had enlisted, and who were afterwards rejected by the Commanding Officer are true, and that the said Abel Farrar ought to be allowed the Sum of £31. 17, including as well the said Bounty Money, as the Expenses he incurred in conveying his said Recruits to the Place of general Rendezvous.

*Ordered*, That it be an Instruction to the Committee of Claims to make an Allowance in the Book of Claims to the said Abel Farrar, pursuant to the last Resolution.

Mr Carter also, from the said Committee, reported that they had had under their further Consideration the Petitions of John Lewis and William Brown, Inspectors at Blandford, and of John Dabney and David Smith, Inspectors at Bolling's Point Warehouse,



house, to them recommitted, and had come to two Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and are as follow :

*Resolved*, That the said *John Lewis* and *William Brown*, Inspectors at *Blanford*, ought to be allowed the Sum of £20 each, over and above their Salaries, for their extraordinary Service the last Year.

*Resolved*, That the said *John Dabney* and *David Smith*, Inspectors at *Bolling's Point*, ought to be allowed the Sum of £10 each, over and above their Salaries, for their extraordinary Trouble the last Year.

*Ordered*, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

On a *Motion* made,

*Ordered*, That it be an Instruction to the said Committee to make an Allowance in the Book of Claims of £5 each to *John Dabney* and *James Thweat*, for their extraordinary Service at *Bolling's Point* in the Year 1757.

*And then the House adjourned until To-morrow Morning Eleven o'Clock.*

## Saturday. the 21st of March. 1 Geo. III. 1761.

**A** *Petition* of fundry Inhabitants of the Counties of *James City* and *Surry*, and other Places on *James River*, praying that publick Warehouses for the Inspection of Tobacco may be established at *James Town*, on the Land of *John Ambler*, Esq; as a Place very convenient for the Planter and Shipper, and particularly in Case of relanding Tobacco, after Inspection and Shipping, which frequently happens there.

*Also a Petition* of *John Read*, and fundry other Inhabitants of the County of *Nansemond*, praying that the Ferry from the Land of *Jeremiah Godwin* over the western Branch of *Nansemond River*, may be discontinued, and another established from the said *Read's* Land to the said *Godwin's*, as a Place more convenient to Travellers, were severally presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

*Ordered*, That M<sup>r</sup> *Washington* be added to the Committee of Propositions and Grievances.

A *Petition* of fundry Inhabitants of the County of *Frederick*, setting forth that one *Jacob Miller* has laid out 1200 Acres of Land in the said County for a Town, partly into Half Acre Lots, and the rest into Lots of five Acres a Piece, many of which are purchased and built on; and praying that an Act may pass for establishing the said Town.

*Ordered*, That a Bill be brought in pursuant to the Prayer of the said Petition; and it is referred to M<sup>r</sup> *Washington*, M<sup>r</sup> *Gabriel Jones*, and M<sup>r</sup> *Martin*, to prepare and bring in the same.

On a *Motion* made,

*Ordered*, That it be an Instruction to the Committee of Propositions and Grievances, to whom it is referred to bring in a Bill For establishing several new Ferries, that they receive a Clause or Clauses for establishing a Ferry from the Land of *John Buchanan*, on the North Side of *James River*, in *Augusta*, to his Land on the opposite Side.

A *Bill* To dock the Entail of certain Lands whereof *Archibald Cary*, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses, was read a second Time, and committed to M<sup>r</sup> *Wythe*, M<sup>r</sup> *Eppes*, M<sup>r</sup> *Cabbel*, M<sup>r</sup> *Howard* and M<sup>r</sup> *Carrington*.

M<sup>r</sup> *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from



from several Counties to them referred, and had come to several Resolutions thereon; which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

On Consideration of so much of the several Petitions of fundry Inhabitants of the Parish of *Elizabeth River*, in the County of *Norfolk*, praying that the said Parish may be divided into three distinct Parishes,

*Resolved*, That it is the Opinion of this Committee that the said Petitions are reasonable. 56

*Resolved*, That it is the Opinion of this Committee that the said Parish be divided in the following Manner, viz. That that Part of the said County and Parish lying to the Northward and Eastward of *Elizabeth River*, and the eastern Branch thereof, be erected into one Parish; That that Part of the said County and Parish lying between the eastern and southern Branches of the said River, running up *New Mill Creek*, to the Head thereof; thence South 30 Degrees West to the *Dismal Swamp* to the Dividing Line between *Virginia* and *North Carolina*, and down the said Line to the Line of *Princess Anne* County; thence along the said *Princess Anne* Line to the eastern Branch of *Elizabeth River*, be erected into another Parish; and that the remaining Part of the said County and Parish be erected into one other distinct Parish.

*Resolved*, That it is the Opinion of this Committee that so much of the said Petitions, praying that the present Glebe of the said Parish, as it now stands entire and undivided, may be sold, and the Money arising by the Sale thereof be divided between the three new Parishes, if the said Division should take Place, is reasonable.

*Resolved*, That it is the Opinion of this Committee that so much of the said Petitions, praying that the Lands and Slaves given by one *Matthew Godfrey* to the said County, with their Increase, may be equally divided amongst the three new Parishes proposed, be rejected.

*Resolved*, That it is the Opinion of this Committee that the Petition of fundry Inhabitants of the said Parish of *Elizabeth River*, complaining of fundry illegal Proceedings in the Vestry of the said Parish, and praying that the said Vestry may be dissolved, is reasonable.

*Resolved*, That it is the Opinion of this Committee that the Petition of *John Graham*, Clerk of the County of *Prince William*, praying that the Deduction of 20 per Cent. from the Tobacco Fees due to himself and other Officers in the said County may be reduced, is reasonable; and that 14 per Cent. will be a reasonable Deduction from such Fees.

*Resolved*, That it is the Opinion of this Committee that the Petition of fundry Inhabitants of the Town of *Dumfries*, in the County of *Prince William*, praying that an Act may pass for adding about 50 Acres of Land to the said Town, is reasonable.

*Resolved*, That it is the Opinion of this Committee that the Petition of fundry Inhabitants of the Parish of *Hamilton*, in the County of *Prince William*, praying that Part of their said Parish may be added to the Parish of *Dettingen*, be rejected.

*Resolved*, That it is the Opinion of this Committee that the Petition of fundry Inhabitants of the said Parish, in Opposition to the said last mentioned Petition, is reasonable.

The 1<sup>st</sup>, 2<sup>d</sup>, 3<sup>d</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup>, Resolutions being again read, and the Question severally put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That a Bill or Bills be brought in pursuant to the 1<sup>st</sup>, 2<sup>d</sup>, 3<sup>d</sup>, 5<sup>th</sup> and 7<sup>th</sup>, Resolutions; and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

*Ordered*, That the further Consideration of the 6<sup>th</sup> Resolution be put off until Wednesday next. 57

A Bill For vesting certain Lands therein mentioned in *Philip Johnson*, Gent. adding the same to the City of *Williamsburg*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Waller*, Mr *Burwell* and Mr *Attorney*.

An

An engrossed *Bill*, entitled, *An Act for altering the Court Days of the Counties of Bedford and Suffex*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

*And then the House adjourned until Monday Morning Eleven o'Clock.*

## Monday, the 23rd of March, 1 Geo. III. 1761.

MR. *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a *Bill* For dividing the Parish of *Fredericksville*, in the County of *Louisa*; and the same was read the first Time, and ordered to be read a second Time.

Several *Claims* of *Philip Ballenger* and *William Smith*, for taking up Runaways therein mentioned.

*Also* an *Account* of *Thomas Tabb*, for fundry Merchandise furnished a Party of the Militia of *Amelia*.

*Also* a *Claim* of *William Potter*, for a Mare impressed into his Majesty's Service and lost.

*Also* a *Claim* of the Administratrix of the Rev. *John Gordon*, deceased, for three Horses impressed into his Majesty's Service and lost.

*Also* an *Account* of *Philip Babb*, for Pasturage and Provender for a Number of Horses in the publick Service, were severally presented to the House and received, and referred to the Consideration of the Committee of Claims.

A *Petition* of *Philip Mason*, setting forth that in the Year 1755 a Horse of his was impressed into his Majesty's Service, and appraised to £5 that he delivered the Certificate of the Appraisalment to a Friend to negotiate for him, who has lost or mislaid it, and that he never has received any Satisfaction for the same, and praying the Consideration of the House therein.

*Also* a *Petition* of *Friend Cox*, Ferry-Keeper at *Cape Capon* in *Hampshire*, praying to be allowed for the Ferriage of Soldiers, Horses and Waggon, in the publick Service, were severally presented to the House and read.

*Ordered*, That the said *Petitions* be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

58

On a *Motion* made,

*Ordered*, That Leave be given to bring in a *Bill* To prevent Hogs from running at large in the Town of *Winchester*; and it is referred to Mr *Washington* to prepare and bring in the same.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the *Petition* of fundry Inhabitants of the Parish of *Nottoway*, in the County of *Amelia*, complaining of some illegal Proceedings in the Vestry of the said Parish, and praying that the same may be dissolved, be rejected.

*Resolved*, That the *Petition* of fundry other Inhabitants of the said Parish, in Opposition to the said *Petition*, for dissolving the said Vestry, is reasonable.

*Resolved*, That the *Petition* of fundry Inhabitants of the Parish of *Raleigh*, in the said County of *Amelia*, complaining of fundry illegal Proceedings of the Vestry of the said Parish, and praying that they may be redressed, be rejected.

*Resolved*, That the *Petition* of fundry other Inhabitants of the said Parish of *Raleigh*, in Opposition to the said last mentioned *Petition*, is reasonable.

*Resolved*,



*Resolved*, That the Petition of *George Brooke* and *William Frazier*, praying that a Ferry may be established from the Land of the said *Brooke*, in *King* and *Queen*, over *Mattapony*, at a Place commonly called *Mantapike*, to the Land of the said *Frazier*, in *King William County*, is reasonable.

*Resolved*, That the Petition of *John Read*, and fundry Inhabitants of the County of *Nansemond*, praying that the Ferry established from the Land of *Jeremiah Godwin*, over the Western Branch of *Nansemond River*, in the said County, to the Land of *James Benn*, may be discontinued; and a new Ferry established from the Land of the said *Read*, over the said Western Branch of *Nansemond River*, to the Land of the said *Godwin*, is reasonable.

*Ordered*, That it be an Instruction to the Committee of Propositions and Grievances to whom it is referred to bring in a Bill For establishing several new Ferries, that they receive a Clause or Clauses pursuant to the two last Resolutions.

A Petition of the Inspectors at *Shocco's* and *Bryd's* Warehouses, setting forth that by Means of the great Increase of Tobacco brought to those Warehouses of late Years, they have been obliged to keep a greater Number of their Slaves to do the necessary Business, besides the Risk and Charge attending their Office, and praying that their Salaries may be increased.

Also a Petition of fundry Merchants, Planters, and others, confirming the Allegations of the said Petition of the Inspectors above mentioned, and in their Behalf praying that such Salaries may be established as will be a sufficient Encouragement for Men of Honesty in that important Office.

Also a Petition of the Inspectors at *Quantico*, setting forth that the Quantity of Tobacco at the said Warehouse has for some Years past largely increased; and praying Satisfaction for past Service, and an additional Salary for the Time to come, were severally presented to the House and read. 59

*Ordered*, That the said Petitions lie on the Table.

*Ordered*, That Mr *Aitchison* be added to the Committee of Trade.

A Bill For recruiting and further continuing the Regiment in the Service of this Colony, was read a second Time, and ordered to be committed to a Committee of the whole House.

*Resolved*, That this House will resolve itself into a Committee on the said Bill on Wednesday next.

And then the House adjourned until To-morrow Morning Eleven o'Clock.

## Tuesday, the 24th of March, 1 Geo. III. 1761.

**M**R. *Gaines*, from the Committee to whom the Bill To amend an Act, entitled, *An Act for clearing of Rivers and Creeks*, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

A Petition of *John Evans* and *James Jameson*, Inspectors at *Roy's* Warehouse in *Caroline*, setting forth their Salary in general Years is a scanty Recompense for their Services, that in the year 1759, when there was so short a Crop, they received £18. 17. 4 each short of their Salaries, under the Regulation of Inspectors Salaries for that Year, though obliged to the like constant Attendance as in plentiful Years; that they have before and since the short Crop paid Considerable Sums into the Treasury, so that their Salaries for that Year may be made up to them without any Burthen to the Publick, and praying that they may be allowed the said Sum of £18. 17. 4, was presented to the House and read, and the Question being put, that the said Petition be referred to a Committee,



It passed in the Negative.

*Resolved*, That the said Petition be rejected.

Mr *Washington*, from the Committee appointed, presented to the House, according to Order, a Bill For establishing the Town of *Woodstock* in the County of *Frederick*; and the same was read the first Time, and ordered to be read a second Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from sundry Counties to them referred, and had come to two Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

<sup>60</sup> *Resolved*, That the Petition of sundry Merchants, Traders, and others, on *York* River, and of sundry Inhabitants of the County of *Hanover*, praying that the Warehouses for the Inspection of Tobacco at *Page's* and *Crutchfield's*, in the said County, may be discontinued, and other Warehouses erected at *Newcastle*, be rejected.

*Resolved*, That the Petition of sundry other Inhabitants of the said County, in Opposition to the said Petition, for discontinuing the said Warehouses at *Page's* and *Crutchfield's*, is reasonable.

Mr *Pendleton*, from the Committee appointed, presented to the House, according to Order, a Bill To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony; and the same was read the first Time, and ordered to be read a second Time.

Mr *Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill To amend an Act, entitled, *An Act concerning Seamen*; also one other Act, entitled, *An Act for preventing Frauds in the Customs, and in clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent the casting Ballast or dead Bodies into Rivers and Creeks*; and the same was read the first Time, and ordered to be read a second Time.

On a Motion made,

*Resolved*, That the Sum of £500 be paid by the Treasurer of this Colony to Capt. *Jacob Van Braam*, over and above the Balance of his Pay that is due to him to this Time, as a Compensation for his Sufferings during a long and painful Confinement as a Hostage in the Enemy's Country.

*Ordered*, That the said Resolve be engrossed, and that Mr *Bland* do carry it up to the Council for their Concurrence.

<sup>61</sup> A Bill For further continuing the several Acts of Assembly of this Colony, for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs, was according to Order read a second Time, and ordered to be committed to a Committee of the whole house.

*Resolved*, That this House will resolve itself into a Committee on the said Bill Tomorrow.

A Petition of *Richard Witton*, setting forth that being appointed by Act of Assembly to settle the Accounts of the Militia of several Counties, and also to regulate and settle the Accounts or Damages done to the Inhabitants of those Counties by the *Catawba* and *Cherokee Indians*, and to make Report thereof; and having executed the Trust reposed in him to the best of his Skill and Ability, and settled Accounts to the Amount of upwards of £10,000, which took up much of his Time and Trouble, and praying an Allowance adequate thereto.

Also a Petition of *John Miller* and *John Donally*, praying to be allowed for Provisions furnished a Party of Militia, the Certificates for which they have lost.

Also a Petition of the Inspectors at *Jordan's* Warehouse, in *Prince George*, praying to be allowed for 395lb. of Tobacco stolen out of the said Warehouse, for which they have been obliged to pay 6d. a Pound, were severally presented to the House and read.

<sup>61</sup> *Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Washington* presented to the House, according to Order, a Bill To prevent Hogs running at large within the Town of *Winchester* or the Limits thereof; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of the Inspectors at *Aylett's*, praying that their Salaries may be increased, by an additional Allowance of £5. a Year, to make them equal to the Salaries of the Inspectors at *Todd's Warehouse*, as their Business is as large, was presented to the House and read.

*Ordered*, That the said *Petition* do lie on the Table.

*And then the House adjourned until Tomorrow Morning Eleven o'Clock.*

## Wednesday, the 25th of March. 1 Geo. III. 1761.

A *Petition* of the Mayor, Recorder, Aldermen and Common Council, and others, Proprietors and Inhabitants of the Borough of *Norfolk*, and Parts adjacent thereto, setting forth that by his late Majesty's royal Charter the said Borough was incorporated, since which many People have purchased and settled on the Lands adjacent thereto, and laid out the same into Lots and Streets; and praying that such Lots may be taken into the Limits of the said Borough, was presented to the House and read.

*Ordered*, That a Bill or Bills be brought in pursuant to the Prayer of the said *Petition*, and it is referred to Mr *Aitchison* and Mr *Attorney* to prepare and bring in the same.

A *Petition* of fundry Inhabitants of *James City County*, in Opposition to the *Petition* for discontinuing *Hog Neck Warehouse* and establishing a new One at *Barrett's Ferry Landing*, on *Chickahominy River*, was presented to the House and read.

*Ordered*, That the said *Petitions* be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

The *Order* of the Day being read for the House to resolve itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs,

*Ordered*, That the several *Petitions* of fundry Inspectors at different Warehouses presented to the House at fundry Times during this Session, and ordered to lie on the Table, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee on the said Bill; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their Consideration; but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill Tomorrow.

Mr *Attorney* presented to the House, according to Order, a Bill To dock the Entail of certain Land whereof *Carter Henry Harrison* is seized, and for settling other Lands to the same Uses; and the said Bill was read the first Time, and ordered to be read a second Time.

A *Petition* of the Justices of *Prince George County*, praying to be reimbursed the Expenses they have been at in building a Wharf at the publick Warehouses for the Inspection of Tobacco at *Jordan's* in the said County, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Bland*, from the Committee of publick Claims, reported that the Committee had had under their Consideration several *Petitions* to them referred, and had come to several



several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow :

*Resolved*, That the Petition of *Burwell Basset*, to be allowed for building a Wharf at the Brick House Warehouse, in the County of *New Kent*, is reasonable; and that he ought to be paid the Sum of £25 for building the said Wharf.

*Resolved*, That the Petition of the Justices of *York* County, to be reimbursed the Expence of building a Wharf at the Warehouse in *York Town*, in the said County, is reasonable; and that they ought to be paid the Sum of £46 for building the said Wharf.

*Resolved*, That the Petition of *Philip Mason*, to be paid for a Horse impressed, and lost in the Service of this Colony, is reasonable; and that he ought to be allowed the Sum of £5 for his said Horse.

*Resolved*, That the Petition of *John Palmer*, to be allowed for a Horse and Bridle impressed for the Use of the *Fairfax* Militia, and lost, is reasonable; and that he ought to be paid the Sum of £6. 11. 0 for the same by the Publick.

*Resolved*, That the Petition of *Friend Cox*, to be paid for the Ferriage of several of the Officers, Soldiers, Waggon and Horses, in the Pay of this Colony, is reasonable; and that he ought to be allowed the Sum of £5. 5. 10 for his said Service.

*Resolved*, That the Petition of *Mary Inglefs*, to be paid by the Publick for Damage done her by the *French* and their *Indians*, when they destroyed Fort *Vaux*, be rejected.

*Ordered*, That it be an Instruction to the said Committee to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

On a *Motion* made,

*Ordered*, That the Bill For removing the Seat of Government from the City of *Williamsburg*, to a Place more convenient to the Inhabitants of this Colony, be read a second Time, on *Tuesday* next.

63 An engrossed *Bill*, entitled, *An Act to amend an Act, entitled, An Act for clearing of Rivers and Creeks*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Gaines* do carry up the said Bill to the Council for their Concurrence.

On a *Motion* made,

*Ordered*, That the Treasurer of this Colony lay his Accounts before the House.

Mr *Cary*, from the Committee appointed, presented to the House, according to Order, a Bill For establishing a Town on the Glebe Land of *Dale* Parish, in the County of *Chesterfield*, and appropriating Part of the said Land for publick Landings; and the same was read the first Time, and ordered to be read a second Time.

Mr *Terry* presented to the House, according to Order, a Bill To empower the Vestry of the Parish of *Antrim*, in the County of *Halifax*, to sell their Glebe in the said Parish, and to apply the Purchase Money towards buying another more convenient Glebe; and the same was read the first Time and ordered to be read a second Time.

On a *Motion* made,

*Resolved*, That this House will not receive any Petitions, Propositions or Claims, after *Monday* next.

A *Petition* of sundry Inhabitants of the County of *Hampshire*, praying that an Act may pass for establishing a Town on the Land of the Right Hon. the Lord *Fairfax*, in that County, called *Tucker's* Plantation, was presented to the House and read.

*Ordered*, That the said Petition be referred to the Consideration of the next Session of Assembly.

The *Order* of the Day being read for the House to resolve itself into a Committee on the Bill For recruiting and further continuing the Regiment in the Service of this Colony.

*Resolved*, That this House will resolve itself into a Committee on the said Bill on *Friday* next.

And then the House adjourned until Tomorrow Morning Eleven o'Clock.

Thursday.

Thursday. the 26th of March. 1 Geo. III. 1761.

**A** Claim of *Tully Robinson* and *John Bullman*, for taking up two Runaways therein mentioned, was presented to the House and received, and referred to the Consideration of the Committee of Claims.

Mr *Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill For fitting out an armed Vessel for the Protection of the Trade of this Colony.

Also a Bill To continue and amend an Act, entitled, *An Act for reducing the several Acts made for laying a Duty on Liquors into one Act*; and the said Bills were severally read the first Time, and ordered to be read a second Time.

On a Motion made,

Ordered, That it be an Instruction to the Committee of Claims to relevy for *William Carter*, a Quantity of Tobacco levied on him in the last Book of Proportions for taking up a Runaway Slave, which it appears did not belong to him.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For dividing the Parish of *Elizabeth River*, in the County of *Norfolk*, into three distinct Parishes; for dissolving the Vestry of the said Parish, and for other Purposes therein mentioned.

Also a Bill For further enlarging the Town of *Dumfries*, in the County of *Prince William*; and the said Bills were severally read the first Time, and ordered to be read a second Time.

On a Motion made,

Ordered, That Leave be given to bring in a Bill To enable the Executors of the Will of *John Spotswood*, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major General *Alexander Spotswood*, and for other Purposes therein mentioned; and it is referred to Mr *Pendleton* to prepare and bring in the same.

On a Motion made,

Ordered, That Leave be given to bring in a Bill For regulating the Practice of Attornies, and it is referred to Mr *Claiborne* and Mr *Waller* to prepare and bring in the same.

On a Motion made,

Ordered, That Leave be given to bring in a Bill To amend an Act, entitled, *An Act for the better Preservation of the Breed of Deer, and prevent unlawful Hunting*, and it is referred to Mr *Christian* and Mr *Walker* to prepare and bring in the same.

Mr *Wythe* reported that the Committee to whom the Bill To dock the Entail of certain Lands whereof *Archibald Cary*, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses, was committed, had examined into the Allegations thereof, and found them to be true, but had made no amendment thereto; and he delivered the Bill in at the Table.

Ordered, That the said Bill be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House with an Amendment, as follow:

Resolved, That the Petition of fundry Inhabitants of the Parish of *Albemarle*, in the County of *Suffex*, complaining of several illegal Practices of the Vestry of the said Parish, and praying that the said Vestry may be dissolved, be rejected.

Resolved, That the Petition of fundry Inhabitants of the Town of *Dumfries*, and of the County of *Prince William*, praying that a new Warehouse for the Inspection of Tobacco may be established on the Lands of *John Murray*, on *Quantico* Creek, in the said County, be rejected.

Resolved,



65 *Resolved*, That so much of the Petition of fundry Inhabitants of the County of *Albemarle*, praying that the said County may be divided into three distinct Counties, is reasonable.

*Resolved*, That so much of the said Petition, praying that the Parish of *St. Anne*, in the said County, may be divided into two distinct Parishes, is reasonable.

*Resolved*, That the other Part of the said Petition, praying that the Vestry of the said Parish of *St. Anne*, if divided, may be obliged to pay a proportionable Part of the Value of the Glebe thereof to the new Parish, is reasonable.

*Resolved*, That the Petition of fundry Inhabitants of the Parish of *Cumberland*, in the County of *Lunenburg*, praying that the said Parish may be divided into two distinct Parishes, and that the present Glebe of the said Parish, as the same stands entire and undivided, may be sold, and the Money divided between the two Parishes, if the said Division should take Place, is reasonable.

*Resolved*, That the Petition of fundry Inhabitants of the Counties of *James City* and *Charles City*, praying that the Warehouse at *Hog Neck* may be discontinued, and a new One erected at *Barrett's Ferry Landing*.

Also the *Petition* of the Inhabitants of *James City*, in Opposition thereto, ought to be referred to the Consideration of the next Session of Assembly.

*Resolved*, That the Petition of fundry Inhabitants of *Surry* and *James City* Counties, praying that a Warehouse for the Inspection of Tobacco may be erected at *James Town*, on the Land of *John Ambler*, Esq; ought to be referred to the Consideration of the next Session of Assembly.

*Resolved*, That the Petition of fundry Inhabitants of the County of *Albemarle*, on *Rockfish River*, praying that Mr *Allan Howard* may be obliged to make a Slope or Opening in his Mill Dam on the said River for the Passage of Fish, be rejected; the said *Allan Howard* agreeing before the Committee to pull down his Mill.

*Resolved*, That the Petition of fundry Inhabitants of the Parish of *Accomack*, in the County of *Accomack*, praying that the said Parish may be divided.

Also the *Petition* of fundry Inhabitants of the said Parish, in Opposition thereto; ought to be referred to the Consideration of the next Session of Assembly.

*Resolved*, That the Petition of fundry Inhabitants of the Counties of *Prince George* and *Charles City*, praying that so much of the Act of Parliament made in the Reign of King *William III.* as relates to Defendants giving special Bail before Commissioners in the County, is reasonable.

*Resolved*, That so much of the Petition of the Inspectors at *Hobb's Hole*, in *Effex*, praying to be allowed an additional Reward, over and above their Salaries, in Consideration of the Increase of their Business for the last Year, is reasonable; and that they ought to be allowed an additional Reward of £10 each.

*Resolved*, That so much of the said Petition, praying that the Salaries of the said Inspectors may be increased, is reasonable; and that they ought to be allowed an additional Salary of £10 per Annum each.

66 *Resolved*, That the Petition of fundry Constables of divers Counties, praying to be allowed some Reward for conveying Runaways committed to their Charge to their Owners, is reasonable.

*Resolved*, That the Petition of fundry Inhabitants of the Parish of *Cameron*, in the County of *Loudoun*, praying that the Vestry of the said Parish may be dissolved, be rejected.

*Ordered*, That it be an Instruction to the Committee of Claims to make Allowances in the Book of Claims, pursuant to the 12<sup>th</sup> Resolution.

*Ordered*, That a Bill or Bills be brought in pursuant to the 3<sup>d</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 11<sup>th</sup> and 14<sup>th</sup>, Resolutions; and it is referred to the Committee of Propositions and Grievances to prepare and bring in the same.

*Ordered*, That it be an Instruction to the said Committee to whom it is referred to bring in a Bill For dividing the County of *Albemarle*, that they receive a Clause or  
Clauses

Clauses for obliging *Allan Howard* to discontinue his Mill on *Rockfish* River, and to prevent other Persons from building Mills on the said River.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, entitled, An Act to continue and amend an Act, entitled An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.*

*Also to the Bill, entitled, An Act for further continuing an Act, entitled, An Act for reducing the several Acts for making Provisions against Invasions and Insurrections into one Act.*

*Also to the Bill, entitled, An Act for altering the Court Days of the Counties of Bedford and Suffex.*

*Also to the Resolve of this House For paying Capt. Jacob Van Braam the Sum of £500, besides his Pay, for the Services therein mentioned.*

A Petition of fundry Inhabitants at *Leeds Town*, in the County of *King George*, praying that an Act may pass for appointing new Trustees for the said Town, the former Trustees being all dead but two.

Ordered, That a Bill or Bills be brought in pursuant to the Prayer of the said Petition, and it is referred to Mr *Charles Carter* to prepare and bring in the same.

A Petition of *Robert Spilby Coleman*, and fundry Inhabitants in and about *Tappanock Town*, in *Effex*, praying that a Ferry may be established from the said Town to the Marsh on the opposite Shore, and the Right of keeping the said Ferry vested in the said *Coleman* and his Heirs, on his making and maintaining a Road through the said Marsh, at his own Expence, was presented to the House and read; together with a Petition of fundry Inhabitants of the County of *Richmond*, presented to the House the 11<sup>th</sup> Instant, and ordered to lie on the Table.

Ordered, That the said Petition be referred to the Consideration of the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Bland*, from the Committee of publick Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place and then delivered in at the Table, where they were again twice read, and agreed to by the House with some Amendments, and are as follow:

Resolved, That the Petition of *John Miller* and *John Donaley*, to be paid for Provisions furnished a Party of the Militia, be rejected.

Resolved, That the Petition of the Justices of *Prince George* County, to be reimbursed the Expenses of building a Wharf at *Jordan's Warehouse*, in that County, is reasonable; and that they ought to be allowed the Sum of £45 for building the said Wharf.

Resolved, That the Petition of *Nathaniel Raines* and *John Watts*, Inspectors of Tobacco at *Jordan's Warehouse*, in *Prince George*, is reasonable; and that they ought to be paid the Sum of £9. 17. 6 for the Tobacco in their Petition mentioned.

On Consideration of the Petition of *Richard Witton*, it appears to your Committee that the said *Witton* rode 30 Miles twice to the Place appointed for meeting of the Commissioners; that he staid a Week the first Time, and near a week the second; and had several other Meetings with the Commissioners, and settled a great many confused and perplexed Accounts, to the Amount of £10,000 and upwards.

Resolved, That the said *Richard Witton* ought to be allowed the Sum of £25 for his Trouble in settling the said Accounts.

Ordered, That it be an Instruction to the said Committee to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

A Message from the Council by Mr *Walthoe*.

*That a Petition of fundry Inhabitants of Stafford and King George, also a Petition of fundry Inhabitants of Fauquier and Frederick Counties, had been presented to and read in Council and were by them referred to the Consideration of this House.*

And



And the said *Petition* from *Stafford* and *King George*, praying that an Act may pass For establishing a Town on the Land of *Andrew Edwards*, on the Head of *Potowmack* Creek, adjoining the Land whereon *Stafford* Court House stands; also the said *Petition* from *Fauquier* and *Frederick*, to the same Purpose, were severally read.

*Ordered*, That the said *Petitions* be referred to the Committee of Propositions and Grievances; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

The *Order* of the Day being read for the House to resolve itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs,

*Resolved*; That this House will resolve itself into the said Committee To-morrow.

A *Petition* of fundry Inhabitants of the Borough of *Norfolk*, setting forth that they have obtained Subscriptions for £2000 for building a Wharf and Store-houses for the Use of Ships in the said Borough, and praying that an Act may pass to empower them so to do, and to secure their Title to the same, until the Common Hall of the said Borough shall think proper to redeem the same, was presented to the House and read.

*Ordered*, That it be an Instruction to the Committee to whom it is referred to bring in a Bill For enlarging the said Borough of *Norfolk*, that they receive a Clause or Clauses pursuant to the Prayer of the said *Petition*.

68 A Bill For establishing a Town on the Glebe Land of *Dale Parish*, in the County of *Chesterfield*, and appropriating Part of the said Land for publick Landings, was read a second Time, and committed to Mr *Bland* and Mr *Cary*.

On a *Motion* made.

*Ordered*, That Leave be given to bring in a Bill To amend an Act made in the 23<sup>rd</sup> Year of his late Majesty's Reign, entitled, *An Act for reducing the several Acts for licensing Pedlars, and preventing Frauds in the Duties on Skins and Furs, into one Act*; and it is referred to the Committee of Trade to prepare and bring in the same.

A *Message* from the Governour by Mr *Walthoe*,

Mr *Speaker*,

*The Governour has commanded me to deliver to your House three Letters just come to his Hands from Lieutenant-Colonel Stephen, Major Lewis, and William Shorie an Interpreter.*

And the said *Letters* were read, and thereon

*Resolved*, That an humble Address be made to his Honour the Governour, to assure him that this House entirely rely on his Prudence and Wisdom in preparing such Presents, and providing for the *Indians* expected to come into this Colony, as he shall think proper.

A *Petition* of *Christian Martin* and *Field Archer*, Inspectors at *John Bolling's* Warehouse, praying to be allowed some additional Reward, besides their Salaries, for their extraordinary service, was presented to the House and read.

*Ordered*, That the said *Petition* be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

A Bill For establishing the Town of *Woodstock* in the County of *Frederick*.

Also a Bill To prevent Hogs from running at large within the Town of *Winchester*, or the Limits thereof.

Also a Bill To empower the Vestry of the Parish of *Antrim*, in the County of *Halifax*, to sell their Glebe in the said Parish, and to apply the Purchase Money in buying another more convenient Glebe, were severally read a second Time.

*Ordered*, That the said Bills be engrossed, and read a third Time.

A Bill To dock the Entail of certain Lands whereof *Carter Henry Harrison* is seized, and for settling other Lands to the same Uses, was read a second Time, and committed to Mr *Attorney* and the Members for *Surry*.

A *Bill* for dividing the Parish of *Fredericksville*, in the County of *Louisa*, was read a second Time, and committed to Mr *Johnston*, Mr *Pendleton* and Mr *Walker*.

A *Bill* To amend an Act, entitled, *An Act concerning Seamen*; also one other Act, entitled, *An Act for preventing Frauds in the Customs, and in clearing of Ships; for ascertaining Collectors and Naval Officers Fees; and to prohibit and prevent the casting Ballast or dead Bodies into Rivers or Creeks*; were read a second Time, and committed to the Committee of Trade.

And then the House adjourned until To-morrow Morning Eleven o'Clock.

## Friday, the 27th of March, 1 Geo. III. 1761.

A *Petition* of *Peter Fontaine*, setting forth that in the Year 1757, at the Instance of Governour *Dimwiddie* and the People of *Halifax*, he became Paymaster to the Militia of that County, in the Execution of which Office he went through great Fatigue and Trouble, and incurred a considerable Expence, particularly in paying away £1000 in trifling Sums, having some times 150 People at his House at a Time for several Days; and that he was often obliged to travel great Distances, for which he has not yet received any Satisfaction, and praying that this House will not suffer him to be a Loser by his Service to the Publick.

Also a *Petition* of *James Walker*, setting forth that he was a Captain of the new Levies raised last year; that he enlisted 56 Men, two of whom deserted, and another was rejected by the Commanding Officer at the General Rendezvous; that he had paid the Bounty Money to these Recruits, and was at the further Expence of conveying them to the appointed Rendezvous; and that he has not the least Prospect of being reimbursed by them, as they are all absconded; and praying that he may be reimbursed by the Publick.

Also a *Petition* of *Gabriel Jones*, *John Maddison*, *Thomas Lewis* and *Clement Read*, setting forth that being appointed by Act of Assembly Commissioners to settle the Militia Accounts of several Counties, and also the Accounts of Damages done to the Inhabitants of those Counties by the *Cherokee* and *Catawba Indians*, and having gone through and adjusted a vast Number and Variety of Accounts, and made proper Reports and Certificates thereof, and praying the Consideration of this House for their Trouble and Expence in the said Office, were severally presented to the House and read.

Ordered, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof respectively, and report the same, with their Opinions thereon, to the House.

A *Petition* of fundry Inhabitants of *Effex*, setting forth that whereas by a Clause in an Act made to prevent Gaming, it is enacted that whoever shall lose 40s. in any 24 Hours may recover it back again, which Clause creates a great Number of Lawfuits, but does not prevent Gaming, and praying that so much of the said Act may be repealed, was presented to the House and read; and the Question being put that the said Petition be referred to a Committee.

It passed in the Negative.

Resolved, That the said Petition be rejected.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read and agreed to by the House, as follow:

Resolved, That the *Petition* of *Christopher Martin* and *Field Archer*, Inspectors of Tobacco at *John Bolling's* Warehouse, is reasonable; and that they ought to be allowed the Sum of £10 each for their past Services.

Resolved, That the *Petition* of *Francis Kirtley*, to be paid for Provisions furnished a Party of the Militia, an Account of which was settled by Commissioners and lost, is reasonable;



reasonable; and that he ought to be allowed the Sum of £24. 4. 4 for the said Provisions.

*Ordered*, That it be an Instruction to the Committee of Claims to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

Mr *Harrison*, from the Committee of Trade, to whom the Bill To amend an Act, entitled, *An Act concerning Seamen*, also one other Act, entitled, *An Act for preventing Frauds in the Customs, and in clearing of Ships; for ascertaining Collectors and Naval Officers Fees, and to prohibit and prevent the casting Ballast or dead Bodies into Rivers or Creeks*, was committed, reported that the Committee had made an Amendment thereto, which he read in his Place, and then delivered the Bill with the Amendment in at the Table, where the Amendment was again twice read, and agreed to by the House.

*Ordered*, That the Bill with the Amendment be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of fundry Inhabitants of the Counties of *Stafford* and *King George*, praying that an Act may pass for establishing a Town on the Land of *Andrew Edwards*, near the Head of *Potowmack* Creek in *Stafford*, be rejected.

*Resolved*, That the Petition of fundry Inhabitants of the Counties of *Fauquier* and *Frederick*, to the same Purpose, be rejected.

*Resolved*, That the Petition of *Robert Spilsby Coleman*, and fundry Inhabitants in and about the Town of *Tappahannock* in *Effex*, praying that a Ferry may be established from the said Town to the Opposite Marsh, and the Right of keeping the same vested in the said *Coleman*, on his raising and maintaining a Road through the said Marsh, be rejected.

*Resolved*, That the Petition of fundry Inhabitants of the County of *Richmond*, in Opposition thereto, is reasonable.

The House, according to Order, resolved itself into a Committee on the Bill For recruiting and further continuing the Regiment in the Service of this Colony; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had made several Amendments to the said Bill, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House with some Amendments.

*Ordered*, That the said Bill with the Amendments as amended be engrossed, and read a third Time.

*Ordered*, That Mr *Woodbridge* be added to the Committee of Propositions and Grievances, and Mr *Hennon* to the Committees of Propositions and Grievances and Trade.

71 On a Motion made,

*Ordered*, That it be an Instruction to the Committee to whom the Bill For dividing the Parish of *Fredericksville*, in the County of *Louisa*, is committed, that they receive a Clause or Clauses to enable the Freeholders and Housekeepers of the Parish of *Hampshire* to elect 12 of the most able and discreet Persons to serve as Vestrymen for the said Parish.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their further Consideration the Petition of *Dale Carter* and *Merryman Payne*, Inspectors of Tobacco at *Davis's* Warehouse, to them recommitted, and had come to a Resolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, as follows:

*Resolved*, That the said Petition is reasonable, and that the said *Dale Carter* and *Merryman Payne* ought to be paid the Sum of £8. 18. 10 for the Tobacco in their Petition mentioned.

*Ordered*, That it be an Instruction to the said Committee to make an Allowance in the Book of Claims, pursuant to the said Resolution.

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The *Order* of the Day being read for the House to resolve itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill Tomorrow.

Mr *Harrison*, from the Committee of Trade, presented to the House, according to Order, a Bill To amend an Act, entitled, *An Act for reducing the several Acts for licensing Pedlars, and preventing Frauds in the Duties on Skins and Furs, into one Act*; and the same was read the first Time, and ordered to be read a second Time.

*And then the House adjourned until Tomorrow Morning Eleven o'Clock.*

## Saturday. the 28th of March. 1 Geo. III. 1761.

THE *Treasurer*, according to Order, laid his Accounts before the House.

*Ordered*, That the said Accounts do lie on the Table, for the perusal of the Members of this House.

On a *Motion* made,

*Ordered*, That a Committee be appointed to enquire whether any and what Part of a Judgment obtained in the General Court by *William Trent* against *Robert Dinwiddie*, Esq; late Lieutenant-Governor of this Dominion, ought to be paid by the Publick; and that the said Committee consist of the following Persons, viz. Mr *Pendleton*, Mr *Waller*, Mr *Bland* and Mr *Fleming*.

Mr *Bland*, from the Committee of publick Claims, reported that the Committee had had under their Consideration several Claims to them referred for the Pay and Expenses of the Militia of different Counties; for Provisions for the *Indians* that came to the Assistance of this Colony; and for Damages done the Inhabitants thereof by the said *Indians*; and had agreed to a Report, and drawn up and stated an Account thereof, which he read in his Place, and then delivered in at the Table. 72

*Ordered*, That the said Report do lie on the Table.

Mr *Attorney* reported that the Committee to whom the Bill To dock the Entail of certain Lands whereof *Carter Henry Harrison* is seized, and for settling other Lands to the same Uses, was committed, had examined into the Allegations thereof, and found them to be true; and had made an Amendment thereto, which he read in his Place, and then delivered the Bill with the Amendment in at the Table, where the Amendment was again twice read, and agreed to.

*Ordered*, That the Bill with the Amendment be engrossed, and read a third Time.

A Claim of *John Dean*, for Sundries furnished the *Cherokee* and *Catawba Indians* at *Winchester*, was presented to the House and received, and referred to the Consideration of the Committee of Claims.

An engrossed Bill, entitled, *An Act for recruiting and further continuing the Regiment in the Service of this Colony, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

Mr *Claiborne*, from the Committee appointed, presented to the House, according to Order, a Bill For regulating the Practice of Attornies; and the same was read the first Time, and ordered to be read a second Time.

A *Petition* of *Francis Conway*, praying to be allowed for the Value of a Slave committed to Prison for Murder, who died in Prison before his Trial.

Also a *Petition* of *John Posy*, praying to be reimbursed the Bounty Money by him paid to 11 Recruits which he had enlisted into the Service of the Publick last Year, three of whom deserted, and four were rejected by the Commanding Officer at the Rendezvous; were severally presented to the House, and read.

*Ordered*,



*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims, that they examine into the Allegations thereof, and report the same, with their Opinions thereon, to the House.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *James Walker*, to be paid for a Recruit enlisted for the *Cherokee* Expedition, who was refused by the Officer appointed to receive them at the Place of general Rendezvous, is reasonable; and that he ought to be allowed the Sum of £11.10.0 for the said Recruit.

*Resolved*, That the Petition of *Gabriel Jones*, *John Maddison*, *Thomas Lewis* and *Clement Reade*, to be paid for their Trouble and Expenses as Commissioners for settling the Militia and Indian Accounts, is reasonable; and that they ought to be allowed the following Sums for the same, viz. the said *Gabriel Jones*, *John Maddison* and *Thomas Lewis*, the Sum of £25 each; and the said *Clement Reade* the Sum of £30.

*Resolved*, That the Petition of *Peter Fontaine*, to be paid for his Trouble and Expense in settling and paying the Militia Accounts in the County of *Halifax*, is reasonable; and that he ought to be allowed the Sum of £25 for the same.

*Resolved*, That the Petition of *William Maclung*, for a Horse impressed in the Service, and lost on the *Shawaneese* Expedition, is reasonable; and that he ought to be paid the Sum of £2 for his said Horse.

*Resolved*, That the Petition of *John Smith*, to have his Pay Roll that was allowed by a former Assembly examined and certified, be rejected.

*Ordered*, That it be an Instruction to the Committee of Claims to make several Allowances in the Book of Claims, pursuant to the said Resolutions.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, entitled, An Act for recruiting and further continuing the Regiment in the Service of this Colony, and for other Purposes therein mentioned.*

The House, according to Order, again resolved itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had made several Amendments to the said Bill, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill on Monday next.

*And then the House adjourned until Monday Morning Eleven o'Clock.*

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## Monday, the 30th of March, 1 Geo. III. 1761.

A Petition of the Inspectors at *Littlepage's* setting forth that their Business is greatly increased, and praying that their Salaries may be augmented, was presented to the House and read.

*Ordered*, That the said Petition lie on the Table.

A Petition of *James Scott*, Clerk, was presented to the House and read; setting forth that *Alexander Scott*, late of *Stafford* County, deceased, was in his Lifetime possessed of eight different Tracts of Land in the Counties of *Stafford*, *Fairfax* and *Fauquier*, and between 20 and 30 Slaves, which he devised to the Petitioner in Taille: That the Petitioner is seized in Fee of about 2000 Acres of Land in *Prince William*, on which he hath built a large brick House and all convenient Offices; but having eight Children

to provide for (besides his eldest Son and Heir apparent lately married) he will not be able to make Provision for them, unless he is enabled to dispose of some of his entailed Lands; and praying that an Act may pass for that Purpose, was presented to the House and read; and the Question being put that a Bill be brought in pursuant to the Prayer of the said Petition,

It passed in the Negative.

*Resolved*, That the said Petition be rejected.

A *Petition* of fundry Inhabitants of the lower End of *St. Margaret's Parish*, in *Caroline*, setting forth that they are inconveniently situated to attend divine Service at their own Parish Church, and praying that Part of their Parish may be added to the Parish of *St. David's* in *King William*.

*Also* a *Petition* of divers Inhabitants of the said Parish of *St. David's*, to the same Purpose.

*Also* a *Petition* of fundry Inhabitants of the County of *King* and *Queen*, praying that an Act may pass for establishing a Town at *Todd's Warehouse*, in the said County.

*Also* a *Petition* of several Inhabitants of the Parish of *Westover*, in the County of *Charles City*, complaining of fundry illegal Proceedings in the Vestry of the said Parish, and praying that the said Vestry may be dissolved.

*Also* a *Petition* of fundry other Inhabitants of the said Parish, in Opposition thereto; were severally presented to the House, and read.

*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Propositions and Grievances; that they examine into the Allegations thereof respectively, and report the same, with their Opinions thereon, to the House.

On a *Motion* made,

*Resolved*, *Nemine contradicente*, that an Humble Address be made to his Honour the Governour to desire that he will be pleased to take Capt. *Jacob Van Braam*, who hath undergone a long and severe Captivity in *Canada*, into his special Favour and Protection, and recommend him for Promotion in his Majesty's Service; and that Mr *Charles Carter* and Mr *Bland* do wait on his Honour with the said Address.

A *Petition* of *Clement Reade*, setting forth that he was ordered by the late Governour *Dinwiddie* and Council to erect a Magazine in *Lunenburg* for the Reception of publick Stores, and also to purchase and lay in Provisions; and that he was appointed Paymaster of the Militia of the frontier Counties, in which he was at great Trouble and Expence, and praying the Consideration of the House.

*Also* a *Petition* of *Robert Wade*, praying to be reimbursed the Bounty Money by him paid, and the Expence he was at in maintaining, a Recruit he had enlisted for the publick Service, who was refused by the Commanding Officer.

*Also* a *Petition* of *Joseph Rentfro*, *James Roberts*, *Hugh Moore*, *Joshua Poutel*, *John Kirby*, *Margaret Boyd*, *John Armstrong*, *William Cox*, *William M<sup>d</sup> Daniel*, *John Goad*, *William Stokes*, *George Boyd*, and others, praying to be allowed for Provisions furnished the Militia and *Indians*, and for Horses, &c.

*Also* a *Petition* of *John Foxcroft*, setting forth that he was directed by his Honour the Governour to take Charge of a Quantity of Goods some Time ago imported on the publick Account, designed for Presents to *Indians*, and that he was at great Expence and Trouble in transporting them from Place to Place, and hiring Storehouses for their Reception, and praying the Consideration of the House therein.

*Also* a *Petition* of *Henry Peyton*, *Thomas Slaughter* and *William Green*, praying to be allowed a reasonable Satisfaction For the Trouble and Expence they were at in executing the Office of Commissioners for settling the Accounts for the Pay and Provisions of the Militia, and Damages done by the *Indians*, in the Counties of *Prince William*, *Stafford*, *Orange* and *Culpeper*.

*Also* a *Petition* of *Samuel Meredith*, praying to be allowed the Bounty Money he paid, and Expenses he was at, for two Recruits that he enlisted last Year, one of which deserted, and the other was taken sick on his March; and also for fundry Guns and

Blankets



Blankets he provided for the publick Service, were severally presented to the House and read.

*Ordered*, That the said Petitions be referred to the Consideration of the Committee of Claims; that they examine into the Allegations thereof respectively, and report the same, with their Opinions thereon, to the House.

On a *Motion* made,

*Ordered*, That the Committee of Propositions and Grievances be discharged from proceeding any further on the several Petitions to them referred relative to the Act of Assembly For amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs, and that the said Petitions do lie on the Table.

A *Petition* of *James Cocke*, setting forth that since his Appointment to the Clerkship of the Treasury the Business of that Office is greatly increased, particularly for the last three Years, and praying the Consideration of the House, was presented to the House and read, and thereon

*Resolved*, That the said *James Cocke* be allowed an additional Sum of £50 per Annum, over and above his Salary.

A *Petition* of *Katherine Bingaman*, setting forth that in the Year 1755 she was taken Prisoner by the *Shawanese Indians*, and afterwards redeemed by Colonel *Byrd*; that she lost all she had when carried into Captivity, and is not able to pay the Money advanced for her Redemption without the Assistance of this House; and praying Relief, was presented to the House and read, and thereon,

*Ordered*, That an Address be made to his Honour the Governour to desire that he will be pleased to discharge the said *Katherine Bingaman* from any demand for Money paid for her Redemption, as mentioned in the said Petition, and that he will give Orders for allowing the said Money to Colonel *Byrd* in his Accounts against the Publick; and that Mr *Pendleton* do wait on his Honour with the said Address.

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again read, and are as follow:

*Resolved*, That the Petition of *Francis Conway*, to be paid for a Slave of his who was committed for Murder, and died in Gaol before his Trial, is reasonable; and that he ought to be allowed the Sum of £30 for his said Slave.

On Consideration of the *Petition* of *John Pofey*, to be paid the Bounty Money and Substinance of several Recruits enlisted by him for the *Cherokee* Expedition, four of which were taken sick on their March to the Place of Rendezvous, where 11 others were rejected by Major *Lewis*, the Commanding Officer, three of which last deserted, and the other eight were received by Colonel *Byrd*, and served on the Expedition.

*Resolved*, That it is the Opinion of this Committee that the Allegations of the said Petition are true, and that he ought to be allowed the Sum of £137. 8. 8 for the Bounty Money and Substinance of the said Recruits.

The first Resolutions being read a second Time, and the Question put that the House agree thereto,

*Resolved* in the Affirmative.

*Ordered*, That it be an Instruction to the said Committee to make an Allowance in the Book of Claims, to the said *Francis Conway*, pursuant to the said Resolution.

*Ordered*, That the Petition of the said *John Pofey*, mentioned in the last Resolution, be recommended to the said Committee.

Mr *Aitchison*, from the Committee appointed, presented to the House, according to Order, a Bill For enlarging and ascertaining the Limits of the Borough of *Norfolk*, and for other Purposes therein mentioned; and the same was read the first time, and ordered to be read a second Time.

Mr *Waller* reported that the Committee to whom the Bill For vesting certain Lands therein mentioned in *Philip Johnson*, Gent. adding the same to the City of *Williamsburg*,  
and

and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

An *Account* from the County of *Gloucester*, for building a Wharf at the Warehouses for the Inspection of Tobacco at *Gloucester* Town, was presented to the House and received and referred to the Consideration of the Committee of Claims.

*Ordered*, That a Committee be appointed to examine the enrolled Bills of the following Persons, viz. Mr *William Digges*, Mr *Reade*, Mr *Cabel*, Mr *Henry Lee* and Mr *Waring*.

*Ordered*, That the Treasurer's Accounts be referred to Mr *Charles Carter*, Mr *Bland*, Mr *Page*, Mr *Dudley Digges*, Mr *Harrison*, Mr *Pendleton*, Mr *Cary*, Mr *Thomas Lee*, Mr *Richard Henry Lee* and Mr *Bradley*; that they examine the several Articles thereof, and report the Balance as it shall appear to them to the House.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For dividing the County of *Albemarle* and Parish of *St. Anne* and for other Purposes therein mentioned.

*Also* a Bill To oblige the Owners of Mills, Hedges or Stone Stops, on fundry Rivers therein Mentioned, to make Openings or Stops therein for the Passage of Fish.

*Also* a Bill For appointing several new Ferries.

And the said Bills were severally read the first Time, and ordered to be read a second Time.

*Ordered*, That the Chaplain attend to read Prayers every Morning at Nine o'Clock. 77

An engrossed Bill, entitled, *An Act for establishing the Town of Woodstock, in the County of Frederick*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Washington* do carry up the said Bill to the Council for their Concurrence.

The Order of the Day being read for the House to resolve itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs,

*Resolved*, That this House will again resolve itself into a Committee on the said Bill To-morrow.

A Bill For fitting out an armed Vessel for the Protection of the Trade of this Colony, was read a second Time; and the Question being put that the said Bill be engrossed and read a third Time.

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

Mr *Johnson* reported that the Committee to whom the Bill For dividing the Parish of *Fredericksville*, in the County of *Louisa*, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

*And then the House adjourned until To-morrow Morning Ten o'Clock.*

## Tuesday, the 31st of March. 1 Geo. III. 1761.

**A**N engrossed Bill, entitled, *An Act to dock the Entail of certain Lands whereof Archibald Cary, Esq; is seized as tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Wythe* do carry up the said Bill to the Council for their Concurrence.

Mr *William Digges* reported that the Committee appointed had, according to Order, examined



examined the enrolled Bills, and rectified such Mistakes as were found therein, and that they were truly enrolled.

*Ordered*, That Mr *Digges* do carry up the enrolled Bills to the Council for their Inspection.

An engrossed *Bill*, entitled, *An Act to prevent Hogs running at large within the Town of Winchester or the Limits thereof*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Washington* do carry up the said *Bill* to the Council for their Concurrence.

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Mr *Pendleton*, from the Committee to whom the *Bill* To empower the Executors of the Will of *Gawin Corbin*, Gent. deceased to sell certain entailed Lands and Slaves for the Payment of his Debts, and for settling other Lands of greater Value to the same Uses, was committed, reported that the Committee had examined into the Allegations of the said *Bill*, and found them to be true, but had made no Amendments thereto.

*Ordered*, That the said *Bill* be engrossed, and read a third Time.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of the Inspectors at *Page's Warehouse*, praying to be allowed for two Hogheads of Tobacco stolen out of the said Warehouse, be rejected.

*Resolved*, That the Petition of *Nathanial Talley*, an inspector at *Crutchfield's Warehouse*, praying to be allowed for two Hogheads of Tobacco stolen out of that Warehouse, be rejected.

*Resolved*, That the Petition of fundry Inhabitants of the Parish of *Frederick*, praying that the said Parish may be divided, ought to be referred to the Consideration of the next Session of Assembly.

The *Order* of the Day being read for the House to resolve itself into a Committee on the *Bill* For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs,

*Ordered*, That the several Petitions from fundry Counties relative thereto, Yesterday ordered to lie on the Table, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee on the said *Bill*; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said *Bill* under their further Consideration, but not having Time to go through the same they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said *Bill* Tomorrow.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Bill, entitled, An Act for establishing the Town of Woodstock, in the County of Frederick, without any Amendment.*

*And that they have agreed to the Bill, entitled, An Act to dock the Entail of certain Lands whereof Archibald Cary, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses, with an Amendment, to which they desire the Concurrence of this House.*

*Also that they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

A Message from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

*The Governour commands the immediate Attendance of your House in the Council Chamber, and that you bring with you such Bills as are ready for his Assent.*

Mr *Speaker* with the House went up accordingly, and the Governour was pleased to give his Assent to the following Bills,\* viz.

1. An Act for recruiting and further continuing the Regiment in the Service of this Colony, and for other Purposes therein mentioned.

2. An Act for further continuing an Act, entitled, An Act for reducing the several Acts for making Provision against Invasions and Insurrections into one Act.

3. An Act to continue and amend an Act, entitled, An Act for the better regulating and collecting certain Officers Fees, and for other Purposes therein mentioned.

Mr *Speaker*, with the House, being returned, reported that the Governour had delivered to him a Letter which came to his Hands late Yesterday Evening from his Excellency Major-General *Amherst*, which he recommended to the serious Consideration of this House; and that his Honour was pleased to observe further, that the Instructions mentioned in the said Letter to be sent him by his Majesty's principal Secretary of State were not yet come to Hand, and that as soon as he received them he would communicate them to this House.

And the said Letter was read and ordered to lie on the Table.

On a Motion made,

Ordered, That the second Reading of the Bill To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony, which was referred to this Day, be put off until To-morrow

Mr *Bland*, from the Committee of Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

Resolved, That the Petition of *John Foxcroft*, to be reimbursed his Expenses in storing and delivering out a Quantity of Goods imported into this Colony, designed as Presents to the *Indians*, and for his Trouble, is reasonable; and that he ought to be allowed the Sum of £20. 19. 9 for his Expenses, and £20 for his Trouble, therein.

On Consideration of the Petition of *John Posey*, to them recommitted, it appeared to your Committee that the said *John Posey* recruited 61 Men for the Expedition against the *Cherokees*, four of which were taken sick, and four others deserted on their March to the Place of Rendezvous, where 11 more were rejected by Major *Andrew Lewis*, at that Time the Commanding Officer, and discharged, eight of which were afterwards received by Colonial *Byrd*, and served on the said Expedition; that the said *Posey* paid the Sum of £10 Bounty Money to each of the said 12 Recruits, and was allowed the Sum of 30s. for each Man received by Directions of his Honour the Governour, and 8d. a Day for their Subsistence, in his recruiting Account: It also appears to your Committee that he hath since received the Sum of £12. 13. 4 for the Bounty Money and Expence of enlisting and subsisting one of the said Recruits that was sick, and that there is now due to him the Sum of £137. 8. 8, the Balance of the Bounty Money, Expence of enlisting and subsisting the said 12 Recruits.

Resolved, That he ought to be paid the said Sum by the Publick.

Ordered, That it be an Instruction to the said Committee to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration a Petition of fundry Inhabitants of the lower End of *St. Margaret's* Parish, in the County of *Caroline*, praying that Part of the said Parish may be added to the Parish of *St. David's*, in the County of *King William*.

Also a Petition of fundry Inhabitants of the said Parish of *St. David's*, to the same Purpose; and had come to a Resolution thereon, which he read in his Place, and then delivered in at the Table, where it was again read, and is as follows:

Resolved,

\*Hening, VII, 381—386.



*Resolved*, That it is the Opinion of this Committee that the said Petitions ought to be referred to the Consideration of the next Session of Assembly.

Mr *Charles Carter*, from the Committee appointed, presented to the House, according to Order, a Bill For appointing new Directors and Trustees for the Town of *Leeds*, in the County of *King George*, and for other Purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

Mr *Christian*, from the Committee appointed, presented to the House, according to Order, a Bill To amend an Act, entitled, *An Act for the better Preservation of the Breed of Deer*; and the same was read the first Time, and ordered to be read a second Time.

*And then the House adjourned until To-morrow Morning Ten o'Clock.*

## Wednesday, the 1st of April. 1 Geo. III. 1761.

A Bill For dividing the County of *Albemarle* and Parish of *St. Anne*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Cabell*, Mr *Howard*, Mr *Johnston*, Mr *Charles Smith*, Mr *Walker* and Mr *Payne*.

A Bill for dividing the Parish of *Elizabeth River*, in the County of *Norfolk*, into three distinct Parishes; and for dissolving the Vestry of the said Parish, and for other Purposes therein mentioned; was read a second Time, and committed to Mr *Bradley*, Mr *Tatem* and Mr *Aitchison*.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their Consideration divers Propositions and Petitions from several Counties to them referred, and had come to several Resolutions thereon, which he read in his Place and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of fundry Inhabitants of the County of *King* and *Queen*, praying that a Town may be established at *Todd's Warehouse*, in the said County, ought to be referred to the Consideration of the next Session of Assembly.

*Resolved*, That the Petition of fundry Inhabitants of the Parish of *Westover*, in the County of *Charles City*, complaining of fundry illegal Proceedings of the Vestry of the said Parish, and praying that the said Vestry may be dissolved, be rejected.

<sup>81</sup> *Resolved*, That the Petition of fundry other Inhabitants of the said Parish, in Opposition thereto, is reasonable.

A Bill For further enlarging the Town of *Dumfries*, in the County of *Prince William*, was read a second Time, and committed to the Members for the said County of *Prince William*.

The House proceeded to the Consideration of the Amendment proposed by the Council to the Bill, entitled, *An Act to dock the Entail of certain Lands whereof Archibald Cary, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses*; and the same being twice read, was agreed to.

*Ordered*, That Mr *Wythe* do go up with a Message to the Council, and acquaint them that this House have agreed to the Amendments by them proposed to the said Bill.

An engrossed Bill, entitled, *An Act for vesting certain Lands therein mentioned in Philip Johnson, Gent. adding the same to the City of Williamsburg, and for other Purposes therein mentioned*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Waller* do carry up the said Bill to the Council for their Concurrence.

The Order of the Day being read,

The House again resolved itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco and preventing Frauds in his Majesty's Customs; and after some Time spent therein, Mr *Speaker* resumed

refused the Chair, and M<sup>r</sup> *Charles Carter* reported that the Committee had gone through the said Bill, and made several Amendments thereto, but not having Time to prepare and draw up the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill To-morrow.

A Message from the Governour by M<sup>r</sup> *Walthoe*.

M<sup>r</sup> *Speaker*,

*The Governour has commanded me to deliver to your House a Letter just come to Hand from the Right Honourable M<sup>r</sup> Secretary Pitt, which he refers to their Consideration.*

And the said Letter was read, and ordered to lie on the Table.

A written Message from the Governour was at the same Time delivered by M<sup>r</sup> *Walthoe*, as follows:

M<sup>r</sup> *Speaker*,

*I am much obliged to your House for the Confidence they have placed in me with Regard to the Affairs now to be transacted with the Cherokees, which really appear to be of a very nice and delicate Nature; because I am to satisfy those People with such Presents as ought to be given on this Occasion, when perhaps they expect much larger, and to avoid treating of Peace, the Terms whereof cannot be offered or accepted on our Parts without bringing the Faith of Britons, so necessary to be preserved, under Suspicion; To redeem also the unhappy Captives that have fallen into their Hands on such Conditions as are Consistent with the Safety of his Majesty's other Subjects, and at the same Time to show them that we are ready for a Reconciliation when our Honour will permit it, without discovering any Tendency to Insult or Dejection. On these Considerations, it would be extremely agreeable to me if your House would allow me to employ one or two Commissioners to assist me, on whose Care and Prudence I might rely, to whom I might explain the Plan I have laid down for my Conduct, on whom I might depend for a strict Adherence to my Orders, and with whom I could from Time to Time correspond whilst the Matter is in Agitation.*

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And the said Message was read, and referred to be considered on Friday next.

M<sup>r</sup> *Bland*, from the Committee of publick Claims, reported that the Committee had had under their Consideration several Petitions to them referred, and had come to several Resolutions thereon, which he read in his Place, and then delivered in at the Table, where they were again twice read, and agreed to by the House, as follow:

*Resolved*, That the Petition of *Henry Peyton*, *Thomas Slaughter* and *William Green*, to be paid for their Trouble as Commissioners for settling the Accounts for the Pay and Provisions of the Militia, and Damages done by the *Indians* in the Counties of *Prince William*, *Stafford*, *Orange* and *Culpeper*, is reasonable; and that they ought to be allowed the Sum of £15 each, for their Trouble and Expence therein.

*Resolved*, That the Petition of *Samuel Meredith*, to be reimbursed the Money expended by him in enlisting and maintaining two Recruits for the *Cherokee* Expedition, one of which was taken sick on the March, and afterwards joined the Forces and served on the Expedition; the other rejected by Major *Andrew Lewis*, the Commanding Officer, appointed to receive the Recruits at the Place of Rendezvous; and for Blankets and Firelocks furnished several of the Soldiers by him enlisted, and who afterwards served on that Expedition, is reasonable; and that he ought to be allowed the Sum of £81. 5. 4. for the Bounty Money, Expence of enlisting and subsisting the said two Recruits, and for the Blankets and Firelocks furnished by him as aforesaid.

*Resolved*, That the Petition of *Robert Wade*, to be reimbursed the Bounty Money and Expence of enlisting a Recruit for the *Cherokee* Expedition, refused by the Officer appointed to receive such Recruits at the Place of Rendezvous, is reasonable; and that he ought to be allowed the Sum of £11. 10. 0 for the Bounty Money, and Expence of enlisting the said Recruit.

On



On Consideration of the *Petition of Clement Reade*, it appears to your Committee that the said *Reade* was at the Trouble of agreeing with Workmen to build a Magazine and House for the Reception of Arms, Ammunition and Provisions, for the Use of the Militia on the Frontiers of this Colony; that after the said Magazine and House were finished, he took Care of the same, and gave out Arms, Ammunition and Provisions, from Time to Time, to several Detachments of Militia, for the Space of four Years, and three Months; that, as Paymaster to the Militia of the County of *Lunenburg*, he received and paid away the Sum of £2800, and kept regular Accounts of the same, which he settled before the Commissioners appointed by Act of Assembly for that Purpose; that he lost £12 in Treasury Notes of the Money so received by him, and that he was ten Days on a Journey to the Counties of *Bedford* and *Halifax*, by Order of the Governour, to examine into the Incursions and Depredations of the *Indians*.

*Resolved*, That the said *Clement Reade* ought to be allowed the Sum of £114. 17. 6, for his Trouble in the several Matters in his Petition mentioned.

*Ordered*, That it be an Instruction to the said Committee to make the several Allowances in the Book of Claims, pursuant to the said Resolutions.

A Bill To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony was according to Order read a second Time, and ordered to be committed to a Committee of the whole House immediately.

The House accordingly resolved itself into a Committee on the said Bill, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their Consideration, but not having Time to go through the same they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill To-morrow.

*And then the House adjourned until To-morrow Morning Ten o'Clock.*

## Thursday, the 2d of April, 1 Geo. III. 1761.

MR. *Bland*, from the Committee of publick Claims, reported that the Committee had examined and considered all the publick Claims which had been laid before them this Session, and agreed on a Report, which he had entered in a Book, and he delivered the Book in at the Table.

A Bill For enlarging and ascertaining the Limits of the Borough of *Norfolk*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Aitchison*, Mr *Bradley*, Mr *Tatem* and Mr *Attorney*.

An engrossed Bill, entitled, *An Act to dock the Entail of certain Lands whereof Carter Henry Harrison is seized, and for settling other Lands to the same Uses*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Attorney* do carry up the said Bill to the Council for their Concurrence.

A Bill For regulating the Practice of Attornies was read a second Time, and committed to Mr *Bland*, Mr *Richard Henry Lee*, Mr *Waller* and Mr *Landon Carter*.

Mr *Charles Carter*, from the Committee of Propositions and Grievances, reported that the Committee had had under their further Consideration, the Petition of fundry Inhabitants of the Parish of *St. Margaret's*, in the County of *Caroline*, also the Petition of fundry Inhabitants of the Parish of *St. David's* in the County of *King William*, to them recommitted, and had come to a Resolution thereon; which he read in his Place, and then delivered in at the Table, where the same was again twice read, and agreed to by the House, with an Amendment, as follows:

*Resolved*, That the said Petitions ought to be referred to the next Session of Assembly.

Mr *Charles Carter* reported that he had, according to Order, waited on his Honour the

the Governour with the Address of this House in Favour of Capt. *Van Braam*, to which his Honour was pleased to answer that he would recommend him to Lord *Halifax* and Mr Secretary *Pitt* for Promotion in his Majesty's Service.

Mr *Henry Lee*, from the Committee to whom the Bill For further enlarging the Town of *Dumfries*, in the County of *Prince William*, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered in at the Table.

*Ordered*, That the Consideration of the said Amendments be put off until To-morrow.

An engrossed *Bill*, entitled, *An Act to empower the Executors of the Will of Gawin Corbin, Gent. deceased, to sell certain entailed Lands and Slaves for the Payment of his Debts, and for settling other Lands of greater Value to the same Uses*, was read a third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Pendleton* do carry it to the Council for their Concurrence.

The Order of the Day being read,

The House again resolved itself into a Committee on the Bill For further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco and preventing Frauds in his Majesty's Customs, and after some Time spent therein Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their further Consideration, and made several Amendments thereto, which they had directed him to report to the House; and he read the said Amendments in his Place, and then delivered them in at the Table, where they were again twice read, and agreed to by the House, with some Amendments.

*Ordered*, That the Bill with the Amendments as amended be engrossed, and read a third Time.

The other Order of the Day being read,

The House again resolved itself into a Committee on the Bill For removing the Seat of Government to a Place more convenient to the Inhabitants of this Colony, and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their further Consideration, but not having Time to go through the same, they had directed him to move for Leave to sit again.

*Resolved*, That this House will again resolve itself into a Committee on the said Bill on Monday next.

An engrossed *Bill*, entitled, *An Act for dividing the Parish of Frederickville, in the County of Louisa, and for directing the Election of Vestrymen for the Parish of Hampshire, in the County of Hampshire*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered* That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence. 85

*And then the House adjourned until To-morrow Morning Ten o'Clock.*

## Friday, the 3d of April, 1 Geo. III. 1761.

MR. *Charles Carter*, from the Committee of Propositions and Grievances, presented to the House, according to Order, a Bill For dividing the Parish of *Cumberland*, in the County of *Lunenburg*, and for other Purposes therein mentioned.

Also a Bill For taking special Bail in the Country on Actions and Suits in the General Court; and the said Bills were severally read the first Time, and ordered to be read a second Time.

Mr *Carter* also from the said Committee presented to the House, according to Order, a Bill For allowing a Reward to Constables for certain Services therein mentioned; and



and the same was read the first Time, and the Question being put that the said Bill be read a second Time.

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

The House, according to Order, proceeded to the Consideration of the Amendments proposed to the Bill For further enlarging the Town of *Dumfries*, in the County of *Prince William*, and the same being read were agreed to by the House.

*Ordered*, That the said Bill with the Amendments be engrossed, and read a third Time.

Mr *Cabel*, from the Committee to whom the Bill For dividing the County of *Albemarle* and Parish of *St. Anne*, and for other Purposes therein mentioned, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered* That the Bill with the Amendments be engrossed, and read a third Time.

Mr *Bland*, from the Committee to whom the Bill For establishing a Town on the Glebe Land of *Dale* Parish, in the County of *Chesterfield*, and appropriating Part of the said Land for publick Landings, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the said Bill with the Amendments be engrossed, and read a third Time.

A Message from the Council by Mr *Walthoe*.

That they have agreed to the Bill, entitled, An Act for vesting certain Lands therein mentioned in *Philip Johnson*, Gent. adding the same to the City of *Williamsburg*, and for other Purposes therein mentioned.

Also to the Bill, entitled, An Act to empower the Executors of the Will of *Gavin Corbin*, Gent. deceased, to sell certain entailed Lands and Slaves for the Payment of his Debts, and for settling other Lands of greater Value to the same Uses.

<sup>86</sup> Also to the Bill, entitled, An Act to dock the Entail of certain Lands whereof *Carter Henry Harrison* is seized, and for settling other Lands to the same Uses.

Also to the Bill, entitled, An Act for dividing the Parish of *Fredericksville*, in the County of *Louisa*, and for directing the Election of Vestrymen in the Parish of *Hampshire*, in the County of *Hampshire*.

Mr *Bradley*, from the Committee to whom the Bill For dividing the Parish of *Elizabeth River*, in the County of *Norfolk*, into three distinct Parishes, for dissolving the Vestry of the said Parish, and for other Purposes therein mentioned, was committed, reported that the Committee had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

*Ordered*, That the said Bill with the Amendments be engrossed, and read a third Time.

A Bill For appointing several new Ferries was read a second Time, and committed to Mr *Reade* and Mr *Terry*.

An engrossed Bill, entitled, An Act for amending and further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's customs, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

Mr *Bland* reported that the Committee to whom the Bill For regulating the practice of Attornies was committed, had made several Amendments thereto, which he read in his

his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

M<sup>r</sup> *Attorney* reported that the Committee to whom the Bill For enlarging and ascertaining the Limits of the Borough of *Norfolk*, and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to.

*Ordered*, That the Bill with the Amendments be engrossed, and read a third Time.

The House, according to Order, proceeded to the Consideration of the Governour's written Message on *Wednesday* last; and the same being again read, it was thereon

*Resolved*, That an humble Address be made to his Honour the Governour to desire that he will be pleased to appoint such Commissioners for the Purposes mentioned in his said Message as he shall think fit, and that M<sup>r</sup> *Attorney* do wait on his Honour with the said Address.

M<sup>r</sup> *Pendleton* presented to the House, according to Order, a Bill To enable the Executors of the Will of *John Spotswood*, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, and for other Purposes therein mentioned; and the same was read the first Time, and ordered to be read a second Time.

A Bill For appointing new Directors and Trustees for the Town of *Leeds*, in the County of *King George*, and for other Purposes therein mentioned. 87

Also a Bill To continue an Act, entitled, *An Act for reducing the several Acts made for laying a Duty on Liquors into one Act*, were severally read a second Time.

*Ordered*, That the said Bills be engrossed, and read a third Time.

And then the House adjourned until To-morrow Morning Ten o'Clock.

## Saturday, the 4th of April. 1 Geo. III. 1761.

A Bill To oblige the Owners of Mills, Hedges or Stone Stops, on fundry Rivers therein mentioned, to make Openings or Slopes therein, for the Passage of Fish.

Also a Bill To amend an Act, entitled, *An Act for the better Preservation of the Breed of Deer, and preventing unlawful Hunting*.

Also a Bill To amend an Act, entitled, *An Act for reducing the several Acts for licensing Pedlars and preventing Frauds in the Duties on Skins and Furs*.

Also a Bill For taking special Bail in the Country on Actions and Suits in the General Court, were severally read a second Time.

*Ordered*, That the said Bills be engrossed, and read a third Time.

An engrossed Bill, entitled, *An Act for further enlarging the Town of Dumfries in the County of Prince William*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

On a Motion made,

*Ordered*, That Leave be given to bring in a Bill To preserve the Water for the Use of the Inhabitants of the Town of *Winchester*, and the Limits thereof, by preventing Hogs from running at large therein, and it is referred to M<sup>r</sup> *Pendleton* and M<sup>r</sup> *Washington* to prepare and bring in the same.

A Message from the Council by M<sup>r</sup> *Walshoe*.

That they have agreed to the Bill, entitled, *An Act for amending and further continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco, and preventing Frauds in his Majesty's Customs*.

An



An engrossed *Bill*, entitled, *An Act to empower the Vestry of the Parish of Antrim, in the County of Halifax, to sell their Glebe in the said Parish, and to apply the Purchase Money towards buying another more convenient Glebe*, was read a third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

A *Bill* For dividing the Parish of *Cumberland* in the County of *Lunenburg*, and for other Purposes therein mentioned, was read a second Time, and committed to Mr *Reade* and Mr *Le Grand*.

<sup>88</sup> An engrossed *Bill*, entitled, *An Act for dividing the Parish of Elizabeth River, in the County of Norfolk, into three distinct Parishes, for dissolving the Vestry of the said Parish and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said *Bill* to the Council for their Concurrence.

A *Bill* To enable the Executors of the Will of *John Spotswood*, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, was read a second Time, and committed to Mr *Edmund Pendleton*, Mr *Henry Pendleton*, Mr *James Taylor* and Mr *Fielding Lewis*.

A *Message* from the Council by Mr *Walthoe*.

That they have agreed to the *Bill*, entitled, *An Act to empower the Vestry of the Parish of Antrim, in the County of Halifax, to sell their Glebe in the said Parish, and to apply the Purchase Money towards buying another more convenient Glebe*.

Also to the *Bill*, entitled, *An Act for further enlarging the Town of Dumfries, in the County of Prince William*.

The House proceeded to the Consideration of the Book of Claims, presented to the House on *Thursday* last and ordered to lie on the Table, and Part thereof was read and agreed to.

*Ordered*, That the further Consideration of the said Book be put off until *Monday* next.

And then the House adjourned until To-morrow Morning Ten o'Clock.

## Monday. the 6th of April. 1 Geo. III. 1761.

A N engrossed *Bill*, entitled, *An Act for enlarging and ascertaining the Limits of the Borough of Norfolk and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pass.

*Ordered*, That Mr *Bradley* do carry up the said *Bill* to the Council for their Concurrence.

Mr *Reade* reported that the Committee to whom the *Bill* For appointing several new Ferries was committed, had made several Amendments thereto, which he read in his Place, and then delivered the *Bill* with the Amendments in at the Table, where the Amendments were again twice read and agreed to.

*Ordered*, That the *Bill* with the Amendments be engrossed, and read a third Time.

An engrossed *Bill*, entitled, *An Act to amend an Act, entitled, An Act concerning Seamen*, also one other Act, entitled, *An Act for preventing Frauds in the Customs and in clearing of Ships, for ascertaining Collectors and Naval Officers Fees, and to prohibit and prevent the casting Ballast or dead Bodies into Rivers and Creeks*, was read the third Time.

*Resolved*, That the *Bill* do pass.

*Ordered*,

*Ordered*, That Mr *Harrifon* do carry up the faid Bill to the Council for their Concurrence.

Mr *Charles Carter* reported that the Committee appointed to examine the Treafurer's Accounts had had the fame under their Confideration, and examined all the feveral Articles and Vouchers thereof, and had agreed on a Report, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the Houfe, as follows:

It appears that the faid Accounts are truly ftated, and that their remains a Balance of £231. 6. 6, due to the Treafurer on the publick Account.

That there remains in the Treafurer's Hands a Balance of £29319. 18. 11 for the Duty on Tobacco in 1759 and 1760, and for the Land and Poll Tax, in the faid Years, and for the Duty on Slaves.

That burned Tobacco Notes not yet taken in amount to £2942.

That there remains in the Treafurer's Hands £1027. 14. 8 of the Money referved for the Redemption of the old Notes bearing Intereft, fo many of the faid Notes remaining ftill out.

That there ftill remains in the Treafurer's Hands £2500, the Balance due to the Commiffioners for the *Indian Trade*.

That there remains in the Treafurer's Hands £27738. 00. 2 for Bills of Exchange drawn on *James Abercrombie* Efq; purfuant to Acts of Affembly.

That there alfo remains in the Treafurer's Hands a Balance of £5212. 4. 1 for the Treafury Notes emitted in *February* and *November* 1759, *March* and *May* 1760.

*Resolved*, That the faid Accounts do pafs.

*Ordered*, That Mr *Charles Carter* do carry up the Treafurer's Accounts to the Council for their Concurrence.

An engroffed *Bill*, entitled, *An Act for dividing the Counties of Albemarle and Louifa and Parifh of St. Anne, and for other Purpofes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pafs.

*Ordered*, That Mr *Cabell* do carry up the faid *Bill* to the Council for their Concurrence.

The Houfe, according to Order, refumed the adjourned Confideration of the Book of Claims, and the remaining Part thereof was read; and the Allowances of the feveral Officers being added, it was agreed to by the Houfe.

*Ordered*, That Mr *Bland* do carry up the Book of Claims to the Council for their Concurrence.

On a *Motion* made,

*Resolved*, That the Sum of £1000 be paid by the Treafurer out of the publick Money in his Hands to the Hon. *Francis Fauquier*, Efq; as a grateful Acknowledgement from this Houfe for his prudent Conduct and unwearied Affiduity in the management of the publick Affairs, to the Honour of his Majefty and the Intereft of this Colony.

The *Order* of the Day being read for the Houfe to refolve itfelf again into a Committee on the *Bill* To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony,

*Resolved*, That this Houfe will again refolve itfelf into a Committee on the faid *Bill* To-morrow.

*And then the Houfe adjourned until To-morrow Morning Ten o'Clock.*

## Tuesday, the 7th of April. 1 Geo. III. 1761.

**A**N engroffed *Bill*, entitled, *An Act for eftablifhing a Town on the Glebe Land of Dale Parifh, in the County of Chefterfield, and appropriating Part of the faid Land for publick Landings*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the *Bill* do pafs.

*Ordered*,



*Ordered*, That Mr *Cary* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, entitled, *An Act for appointing new Directors and Trustees for the Town of Leeds, in the County of King George, and for other Purposes therein mentioned*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, entitled, *An Act to continue an Act, entitled, An Act for reducing the several Acts made for laying a Duty on Liquors into one Act*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, entitled, *An Act to amend an Act, entitled, An Act for reducing the several Acts for licensing Pedlars and preventing Frauds in the Duty on Skins and Furs into one Act*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr *Harrison* do carry up the said Bill to the Council for their Concurrence.

Mr *Pendleton*, from the Committee appointed, presented to the House, according to Order, a Bill To preserve the Water for the Use of the Inhabitants of the Town of *Winchester* and the Limits thereof, by preventing Hogs from running at large therein; and the same was read the first Time, and ordered to be read a second Time.

The Order of the Day being read,

The House again resolved itself into a Committee on the Bill To remove the Seat of Government to a Place more convenient to the Inhabitants of this Colony; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Charles Carter* reported that the Committee had had the said Bill under their further Consideration, and had made several Amendments thereto, which he read in his Place, and then delivered in at the Table, where they were again twice read, and some of them were agreed to, and others disagreed to; and the Question being put that the said Bill with the Amendments be engrossed and read a third Time, the House divided.

Yeas go forth

Yeas, 35

Noes, 36.

It passed in the Negative.

*Resolved*, That the said Bill be rejected.

91 A Message from the Council by Mr *Walthoe*.

That they have agreed to the Bill entitled, *An Act for dividing the Parish of Elizabeth River, in the County of Norfolk, into three distinct Parishes; for dissolving the Vestry of the said Parish, and for other Purposes therein mentioned*.

Also to the Bill, entitled, *An Act for enlarging and ascertaining the Limits of the Borough of Norfolk, and for other Purposes therein mentioned*.

Also to the Bill, entitled, *An Act for establishing a Town on the Glebe Land of Dale Parish, in the County of Chesterfield, and appropriating Part of the said Land for publick Landings*.

Also to the Bill, entitled, *An Act for dividing the Counties of Albemarle and Louisa and Parish of St. Anne, and for other Purposes therein mentioned*.

Also to the Bill, entitled, *An Act for appointing new Directors and Trustees for the Town of Leeds, in the County of King George, and for other Purposes therein mentioned*.

And to the Book of publick Claims.

*Ordered*, That Mr *Bland* do carry the said Book to the Governour, and desire his Assent thereto.

*Ordered*,

Ordered, That a Committee be appointed to proportion the publick Levy, to consist of the following Persons, viz. Mr Bland, Mr Waller, Mr Eyre, Mr Walker, Mr Ball, Mr Reade, Mr Upshaw and Mr Carrington.

And then the House adjourned until To-morrow Morning Ten o'Clock.

## Wednesday. the 8th of April. 1 Geo. III. 1761.

**M**R. Edmund Pendleton reported that the Committee to whom the Bill To enable the Executors of the Will of *John Spotswood*, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General *Alexander Spotswood*, and for other Purposes therein mentioned, was committed, had examined into the Allegations thereof, and found them to be true, and had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

Ordered, That the Bill with the Amendments be engrossed, and read a third Time.

Mr Speaker informed the House that he had just received a Letter from his Excellency Major-General *Amherst* in Answer to the Address of this House lately transmitted to him, which he delivered in at the Table.

And the said Letter was read, and ordered to lie on the Table.

An engrossed Bill, entitled, *An Act for appointing several new Ferries*, was read the third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Washington* do carry up the said Bill to the Council for their Concurrence. 92

An engrossed Bill, entitled, *An Act for regulating the Practice of Attornies*, was read the third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Claiborne* do carry up the said Bill to the Council for their Concurrence.

Mr Reade reported that the Committee to whom the Bill For dividing the Parish of *Cumberland*, in the County of *Lunenburg*, and for other Purposes therein mentioned, was committed, had made several Amendments thereto, which he read in his Place, and then delivered the Bill with the Amendments in at the Table, where the Amendments were again twice read, and agreed to by the House.

Ordered, That the Bill with the Amendments be engrossed, and read a third Time.

An engrossed Bill, entitled, *An Act to oblige the Owners of Mills, Hedges or Stone Stops, on Sundry Rivers therein mentioned, to make Openings or Slopes therein for the Passage of Fish*, was read the third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Charles Carter* do carry up the said Bill to the Council for their Concurrence.

On a Motion made,

Ordered, That Leave be given to bring in a Bill For paying the Burgeesses Wages in Money for this present Session of Assembly; and it is referred to Mr *Harrison* and Mr *Pendleton* to prepare and bring in the same.

An engrossed Bill, entitled, *An Act to amend an Act, entitled, An Act for the better Preservation of the Breed of Deer, and preventing unlawful Hunting*, was read a third Time, and the Blanks therein filled up.

Resolved, That the Bill do pass.

Ordered, That Mr *Pendleton* do carry up the said Bill to the Council for their Concurrence.



A Message from the Council by Mr Walthoe.

*That they have agreed to the Treasurer's Accounts.*

*Also to the Bill, entitled, An Act to amend an Act, entitled, An Act concerning Seamen, also one other Act, entitled, An Act for preventing Frauds in the Customs and in clearing of Ships, for ascertaining Collectors and Naval Officers Fees, and to prohibit and prevent the casting Ballast or dead Bodies into River or Creeks.*

*Also to the Bill, entitled, An Act to oblige the Owners of Mills, Hedges or Stone Stops, on fundry Rivers therein mentioned, to make Openings or Slopes therein for the Passage of Fish.*

*Also to the Bill, entitled, An Act for regulating the Practice of Attornies, without any Amendments.*

*And that they have agreed to the Bill, entitled, An Act for appointing several new Ferries, with an Amendment, to which they desire the Concurrence of this House.*

The House immediately proceeded to the Consideration of the Amendment proposed by the Council to the said Bill, and the same being read was agreed to.

*Ordered, That Mr Washington do go up with a Message to the Council, and acquaint them that this House have agreed to the Amendment by them proposed to the said Bill.*

An engrossed Bill, entitled, *An Act for taking special Bail in the Country on Actions and Suits in the General Court*, was read the third Time and the Blanks therein filled up.

*Resolved, That the Bill do pass.*

93

*Ordered, That Mr Attorney-General do carry up the said Bill to the Council for their Concurrence.*

A Message from the Governour by Mr Walthoe.

*That his Honour has just received Letters from the Right Honourable Mr Secretary Pitt; also a Letter from Colonel Byrd, enclosing Extracts of fundry Letters to him from his Excellency Major-General Amherst, which he had commanded him to lay before this House.*

And the said Letters were read, and ordered to lie on the Table.

A Bill To preserve the Water for the Use of the Inhabitants of the Town of Winchester and the Limits thereof, by preventing Hogs from running at large therein, was read a second Time, and an Amendment made thereto.

*Ordered, That the Bill with the Amendment be engrossed, and read a third Time.*

The House proceeded to the Consideration of the Report from the Committee of Claims made on the 28<sup>th</sup> of March last, wherein the Accounts of the Expenses of the Militia drawn out into actual Service on the Frontiers of this Colony, also the Demands of fundry Persons for Provisions and other Necessaries furnished the said Militia, and the Damages done to fundry Inhabitants of this Colony by the Indians, are stated and settled and the same being read, was agreed to.

94

*Ordered, That Mr Bland do carry up the said Accounts to the Council for their Concurrence.*

An engrossed Bill, entitled, *An Act to enable the Executors of the Will of John Spotfwood, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major General Alexander Spotfwood, and for other Purposes therein mentioned*, was read a third Time.

*Resolved, That the Bill do pass.*

*Ordered, That Mr Pendleton do carry up the said Bill to the Council for their Concurrence.*

*And then the House adjourned until To-morrow Morning Ten o'Clock.*

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Thursday, the 9th of April. 1 Geo. III. 1761.

**A**N engrossed Bill, entitled, *An Act to preserve the Water for the Use of the Inhabitants of the Town of Winchester, and the Limits thereof, by preventing Hogs from running at large therein*, was read the third Time.

*Resolved, that the Bill do pass.*

*Ordered,*

Ordered, That Mr *Washington* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, entitled, *An Act for dividing the Parish of Cumberland, in the County of Lunenburg, and for other Purposes therein mentioned*, was read the third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

Ordered, That Mr *Reade* do carry up the said Bill to the Council for their Concurrence.

Mr *Bland* reported that the Committee appointed had, according to Order, settled the Proportion of the Country Levy, and stated the same in a Book, which he delivered in at the Table, where it was read and agreed to by the House.

Ordered, That Mr *Bland* do carry up the said Book to the Council for their Concurrence. 94

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Accounts of the Expenses of the Militia, and for Provisions and other Necessaries found for them, and of the Damages done by the Indians to the Inhabitants of this Colony.*

*Also to the Bill, entitled, An Act to enable the Executors of the Will of John Spotswood, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major General Alexander Spotswood, and for other Purposes therein mentioned, without any Amendments.*

*And that they have agreed to the Bill, entitled, An Act to amend an Act, entitled, An Act for the better Preservation of the Breed of Deer and preventing unlawful Hunting.*

*Also to the Bill, entitled, An Act for taking special Bail in the Country on Actions and Suits in the General Court, with some Amendments to each of the said Bills, to which they desire the Concurrence of this House.*

The House immediately proceeded to the Consideration of the Amendments proposed by the Council to the Bill first above mentioned, and the same being read were agreed to.

Ordered, That Mr *Edmund Pendleton* do go up with a Message to the Council, and inform them thereof.

Then the House proceeded to the Consideration of the Amendments proposed by the Council to the other Bill above mentioned, and the same being read were likewise agreed to.

Ordered, That Mr *Attorney-General* do go up with a Message to the Council, and acquaint them therewith.

Mr *Harrison* presented to the House, according to Order, a Bill For paying the Burgeesses Wages in Money for this present Session of Assembly; and the same was read the first Time, and ordered to be read a second Time; and,

On a Motion made,

The said *Bill* was immediately read a second Time, and an Amendment was made thereto.

Ordered, That the said Bill with the Amendment be engrossed, and read a third Time.

A Message from the Council by Mr *Walthoe*.

*That they have agreed to the Book of Proportions.*

*Also to the Bill, entitled, An Act for dividing the Parish of Cumberland, in the County of Lunenburg, and for other Purposes therein mentioned.*

*Also to the Bill, entitled, An Act to preserve the Water for the Use of the Inhabitants of the Town of Winchester and the Limits thereof, by preventing Hogs from running at large therein.*

On a Motion made,

Ordered, That Leave be given to bring in a Bill For Laying a publick Levy, and it is referred to Mr *Bland* to prepare and bring in the same.



A Written *Message* from the Governour was delivered by Mr *Walthoe*.

Mr *Speaker*,

*Colonel Byrd being just arrived, and acquainting me it is General Amherst's special Request that this Government should raise 700 Men more (to be clothed, armed and victualled, at the Expence of the Crown) to chastise our Indian Enemies, I earnestly recommend the same to the immediate Consideration of your House.*

95 And the said *Message* was read, and ordered to be referred to the Consideration of of a Committee of the whole House immediately.

*Ordered*, That the several Letters from Mr Secretary *Pitt*, Major General *Amherst* and Colonel *Byrd*, Yesterday laid before the House by Command of his Honour the Governour, be referred to the Consideration of the said Committee.

And then the House resolved itself into a Committee on the said *Message* and Letters; and after some Time spent therein, Mr *Speaker* resumed the Chair, and Mr *Attorney General* reported that the Committee had had the said *Message* and Letters under their Consideration, and had come to a Resolution thereon, which he read in his Place, and then delivered in at the Table, where it was again twice read, and agreed to by the House, as follows:

*Resolved*, That an humble Address be made to his Honour the Governour to inform him that by the Act passed this Session of Assembly, For recruiting and further continuing the Regiment in the Service of this Colony, we have done the utmost for the Defence of the Country which our Circumstances will admit of.

*Ordered*, That an Address be drawn up pursuant to the said Resolution, and it is referred to Mr *Attorney*, Mr *Pendleton*, Mr *Bland*, and Mr *Randolph*, to prepare and bring in the same.

Mr *Bland* presented to the House, according to Order, a Bill For raising a publick Levy; and the same was read the first Time, and ordered to be read a second Time.

Mr *Pendleton* reported that the Committee appointed had, according to Order, enquired whether any and what Part of a Judgment recovered in the General Court by *William Trent*, Gent. against the Hon. *Robert Dinwiddie*, Esq; late Lieutenant Governour of this Colony, ought to be paid by the Publick; and that they had agreed on a Report, and come to a Resolution thereon, which he read in his Place, and then delivered in at the Table, where the same were again read, and are as follow:

It appears to your Committee that Mr *Trent's* Claim for £401. 2. 9½ Part of his Recovery, was for his Expence and Trouble in carrying out Presents of Goods for the *Indians* at two several Times by Order of the Governour and Council; that his Claim of £291. 5. 10 was for the Pay and Provisions of himself and a Company of Men under his Command, raised by Order of the said Lieutenant-Governour, before the first *Virginia* Regiment was established, and who afterwards were enlisted into the said Regiment; and that £107. 11. 4½, the Residue of his Recovery of £800, was allowed by the Jury for Interest on those Sums, of which Interest £45. 2. 2 accrued on the said Sum of £291, 5. 10.

*Resolved*, That it is the Opinion of this Committee that the said Sum of £291. 5. 10 ought to be paid by the Publick, but no Part of the Interest, as Application was never made to this House for Payment of the said Money; and it was a Transaction entirely between the said Lieutenant-Governour and Council, and the said *Trent*.

96 The said *Resolution* being read a second Time, and the Question put that the House agree thereto,

It passed in the Negative.

On a *Motion* made,

A Bill For raising a publick Levy was read a second Time, and committed to Mr *Randolph* and Mr *Attorney-General*.

And then the House adjourned until To-morrow Morning Ten o'Clock.

Friday.

Friday, the 10th of April, 1 Geo. III. 1761.

**M**R. *Randolph* reported that the Committee to whom the Bill For raising a publick Levy was committed, had made an Amendment thereto, which he read in his Place, and then delivered the Bill with the Amendment in at the Table, where the Amendment was again twice read, and agreed to by the House.

*Ordered*, That the Bill with the Amendment be engrossed, and read a third Time.

An engrossed *Bill*, entitled, *An Act for paying the Burgeffes Wages in Money for this present Session of Assembly*, was read a third Time, and the Blanks therein filled up.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> *Harrison* do carry up the said Bill to the Council for their Concurrence.

An engrossed *Bill*, entitled, *An Act for raising a public Levy*, was read the third Time.

*Resolved*, That the Bill do pass.

*Ordered*, That M<sup>r</sup> *Waller* do carry up the said Bill to the Council for their Concurrence.

M<sup>r</sup> *Attorney* reported that the Committee appointed had, according to Order, prepared an Address to the Governour, pursuant to the Resolution of the Committee, Yesterday agreed to by the House; and he read the same in his Place, and then delivered it in at the Table, where it was again twice read, and agreed to by the House.

*Ordered*, That the said Address be fairly transcribed, and presented to the Governour by the Committee who prepared the same.

A *Message* from the Council by M<sup>r</sup> *Walthoe*.

*That they have agreed to the Bill, entitled, An Act for raising a publick Levy.*

*Also to the Bill, entitled, An Act for paying the Burgeffes Wages in Money for this present Session of Assembly.*

A *Message* from the Council by M<sup>r</sup> *Walthoe*.

*That they have sent down the joint Address of the Governour, Council and House of Burgeffes, to his Majesty, signed by the Governour and President of the Council, to be signed by the Speaker of this House.*

M<sup>r</sup> *William Digges* reported that the Committee appointed had, according to Order, examined the rest of the enrolled Bills, and rectified such Mistakes as were found therein, and that they were truly enrolled.

*Ordered*, That M<sup>r</sup> *Digges* do carry up the enrolled Bills to the Council for their Inspection.

A *Message* from the Council by M<sup>r</sup> *Walthoe*.

97

*That they have inspected the enrolled Bills, and are satisfied they are truly enrolled.*

A *Message* from the Governour was delivered by M<sup>r</sup> *Walthoe*.

M<sup>r</sup> *Speaker*,

*The Governour commands the immediate Attendance of this House in the Council Chamber, and that you bring with you such Bills and Resolves as are ready for his Assent.*

M<sup>r</sup> *Speaker*, with the House, went up accordingly; and the Governour was pleased to give his Assent to the following Bills,\* viz.

4. *An Act for further amending and continuing the several Acts of Assembly of this Colony for amending the Staple of Tobacco and preventing Frauds in his Majesty's Customs.*

5. To

\*Hening, VII, 386 ff.



5. To continue an Act, entitled, An Act for reducing the several Acts made for laying a Duty on Liquors into one Act.

6. To amend an Act, entitled, An Act concerning Seamen, also one other Act, entitled, An Act for preventing Frauds in the Customs, and in clearing of Ships, for ascertaining Collectors and Naval Officers Fees, and to prohibit and prevent the casting Ballast or dead Bodies into Rivers and Creeks.

7. For raising a publick Levy.

8. For regulating the Practice of Attornies.

9. For appointing several new Ferries.

10. For taking special Bail in the Country on Actions and Suits in the General Court.

11. To amend an Act, entitled, An Act for reducing several Acts for licensing Pedlars and preventing Frauds in the Duties on Skins and Furs into one Act.

12. For establishing the Town of Woodstock, in the County of Frederick.

13. For establishing a Town on the Glebe Land of Dale Parish, in the County of Chesterfield, and appropriating Part of the said Land for publick Landings.

14. To oblige the Owners of Mills, Hedges or Stone Stops, on sundry Rivers therein mentioned, to make Openings or Slopes therein, for the Passage of Fish.

15. To preserve the Water for the Use of the Inhabitants in the Town of Winchester and the Limits thereof, by preventing Hogs from running at large therein.

16. To amend an Act, entitled, An Act for the better Preservation of the Breed of Deer, and preventing unlawful Hunting.

17. For dividing the Parish of Cumberland, in the County of Lunenburg

18. For altering the Court Days of the Counties of Bedford and Suffex, and for other Purposes therein mentioned.

19. For dividing the Parish of Elizabeth River in the County of Norfolk, into three distinct Parishes, for dissolving the Vestry of the said Parish, and for other Purposes therein mentioned.

20. For dividing the Counties of Albemarle and Louisa and Parish of St. Anne, and for other Purposes therein mentioned.

98 21. An Act for further enlarging the Town of Dumfries, in the County of Prince William.

22. For dividing the Parish of Fredericksville, in the County of Louisa; and for directing the Election of Vestrymen for the Parish of Hampshire, in the County of Hampshire

23. For appointing new Directors and Trustees for the Town of Leeds, in the County of King George, and for other Purposes therein mentioned.

24. For enlarging and ascertaining the Limits of the Borough of Norfolk, and for other Purposes therein mentioned.

25. To empower the Vestry of the Parish of Antrim, in the County of Halifax, to sell their Glebe in the said Parish, and to apply the Purchase Money towards buying another more convenient Glebe.

26. To dock the Entail of certain Lands whereof Archibald Cary, Esq; is seized as Tenant in Fee Taille, and to settle other Lands of greater Value in Lieu thereof to the same Uses.

27. To empower the Executors of the Will of Gawin Corbin, Gent. deceased, to sell certain entailed Lands and Slaves for the Payment of his Debts, and for settling other Land of greater Value to the same Uses.

28. To enable the Executors of the Will of John Spotswood, Esq; deceased, to pay the Debts and Legacies due from the Estate of Major-General Alexander Spotswood, and for other Purposes therein mentioned.

29. For vesting certain Lands therein mentioned in Philip Johnson, Gent. adding the same to the City of Williamsburg, and for other Purposes therein mentioned.

30. To dock the Entail of certain Lands whereof Carter Henry Harrison is seized, and for settling other Lands to the same Uses.

31. For paying the Burgeffes Wages in Money for the present Session of Assembly.

His

His Honour likewise gave his Assent to the Resolve for allowing Capt. Jacob Van Braam the Sum of £500, over and above the Balance of his Pay that is due to him to this Time, as a Compensation for his Sufferings during a long and painful Confinement as an Hostage in the Enemy's Country.

And then his Honour closed the Session with the following Speech.

*Gentlemen of the Council, Mr Speaker and Gentlemen of the House of Burgeffes.*

*I am arrived at a Day the most disagreeable to me of any one since I have been intrusted by his Majesty with the Administration of your Affairs; As you have shown yourselves on all Occasions dutiful Subjects, by your Loyalty and Attachment to your Sovereign and his Government, I consider you as my Friends; as Friends, grieve to part with you. I should not justly acquit myself of the Duty I owe to his Majesty, were I to omit thanking you, before I dismiss you, for the Readiness and Alacrity with which you have engaged in the Measures recommended to you to assist his Majesty's Arms, in the Recovery of that Country which the French had usurped; and on my own Part I can with Truth assure you, that the many Marks of Affection and Respect you have shown me, the Confidence you have placed in me, and the strong Proofs you have given me of your Approbation of my Conduct, has made an Impression on my Mind which nothing can efface, as long as it shall please the Almighty to continue to me the Blessings of Life and Memory.*

*The Constitution of the Council is such as secures to me the meeting you, Gentlemen, who compose it, in the same Capacity the ensuing Assembly: This gives me the greatest Satisfaction, as I have so often experienced your Ability and Zeal to serve his Majesty, and your Integrity and Candour in conducting every Measure to promote his Interest, and the general Good of this Colony. But,*

*Mr Speaker, and Gentlemen of the House of Burgeffes,*

*My Assurances of meeting you again as Particulars are not so certain as I could wish they were, for I can never expect, or even desire, to meet an Assembly composed of Gentlemen more acceptable to myself; who have happily found the Means of joining your Duty to his Majesty to your Care for the Interest of the Colony, which can never be separated but to the Disadvantage of both. In this Light, I hope your Constituents will see your Conduct; approve the whole Tenour of it; and show their Approbation by the Choice which the Circumstances of the Times will give them an Opportunity to make.*

*Gentlemen of the Council and of the House of Burgeffes,*

*All that remains for me to do is to put an End to this Assembly, which I do with great Unwillingness; but it is requisite you should be now dissolved, and you are dissolved accordingly.*



## APPENDIX.





# Appendix.

DRAPER MSS. 4 ZZ 51.

[A. L. S.]

Williamsburg June 3<sup>d</sup> 1758

SIR,<sup>1</sup>

I have yours of May 26<sup>th</sup> and have by Col<sup>o</sup> *Washington* sent you up £475—which with the £600 by *Jenkins* makes £1075. The Baggage, Forage and Bat money intended for your Officers by the Council amounts to £1007-10-0 according to S<sup>r</sup> *John St Clair's* Estimate of £806, with 25 p<sup>r</sup> C<sup>t</sup> added; but M<sup>r</sup> *Webb's* in drawing the order on the Treasury by mistake took £860 for S<sup>r</sup> *Johns* Acco<sup>t</sup> and put 25 p<sup>r</sup> C<sup>t</sup> on that, for Col<sup>o</sup> *Washingtons* and Col<sup>o</sup> *Byrds* Regiments which is £67-10 each too much and to be accounted for; Col *Washington* nows of the mistake.

I have sent you a Chest of Medicines from M<sup>r</sup> *Pasteurs* Shop, with Instruments; but cannot yet hear of a Surgeon for you which gives me much concern. You will soon have Tents, Kettles and Canteens from Gen<sup>l</sup> *Forbes*; but I am desired to provide Haver-sacks, which if not sent up with Blankets and other things expected here in a few days, must be got at *Winchester*, as the pay will be sure when settled.

I send Col<sup>o</sup> *Byrds* the Commissions back again to be filled up and dated, to give precedence according to a regulation made in Council, of which I send a list. By it you will find Captain *Cocke* and Captain *Lightfoot*<sup>6</sup> set aside; the last as having but 43 Men exclusive of *Armisteads*, and all very bad; and as there was a necessity to lay one aside, the Council tho<sup>t</sup> Capt<sup>a</sup> *Meredeth*<sup>7</sup> with his 55 Men all very good and on the Day to deserve a preference. Capt<sup>a</sup> *Cocke* tho<sup>t</sup> a good Officer was considered as having only 26 Men himself, whereas Capt<sup>a</sup> *Scott*<sup>8</sup> had raised 54 extream good and in a short time, but which we must loose by Contract, if he were not a Captain, as they were attached to him. But to make all the acknowledgement we could to Cap<sup>t</sup> *Cocke's* merit the Council named him first Lieut<sup>t</sup> & M<sup>r</sup> *Lightfoot* 2<sup>nd</sup>, but if they refuse to accept, then Capt<sup>a</sup> *Munford*<sup>9</sup> will be first and so on; by which the first Ensigns will be Lieut<sup>ts</sup> and Col<sup>o</sup> *Byrd* will fill up the rest as he thinks proper. I am sorry to find M<sup>r</sup> *Gunn*<sup>10</sup> so low in the list, but as I did not observe it at the Time, I hope he will still serve his Country as signally for this Campaign; and not desert us on a Punctilio which a good Patriot would overlook. M<sup>r</sup> *Temples*<sup>11</sup> performance was not duly considered in the hurry but I hope he will make a good Officer and so reconcile things.

As to the extravagant Charges in recruiting by some Officers, it produced perhaps, what will be tho<sup>t</sup> by some too severe a correction; but the Council are justified in it, by the Practice at raising the First Regiment; their Pay as Officers, from the date of their recruiting

<sup>1</sup> The letter was written either to Lieutenant-Colonel George Mercer, in command of the Virginia troops until *Washington's* arrival, or to Dr. Thomas Walker, Commissary-General.

<sup>2</sup> Sir John St. Clair was a lieutenant-colonel in the British army. He came to America in 1755, was quartermaster-general under Braddock, and was wounded in Braddock's Defeat. He served as quartermaster-general under Forbes in 1758.

<sup>3</sup> Colonel Daniel Webb. He came to America in 1756 and served as second in command to General Abercromby, the commander-in-chief.

<sup>4</sup> General Forbes commanded the second expedition against Fort Duquesne, which was undertaken in 1758.

<sup>5</sup> William Byrd III, son of the celebrated William Byrd, of Westover. The Virginia troops in 1758 were increased to two regiments, one commanded by George Washington and the other by William Byrd. Washington still held his rank of commander-in chief of the Virginia troops. William Byrd was also a member of the Council and continued as such until the Revolution. He sympathized with England in the Revolution and committed suicide in 1777.

<sup>6</sup> Captain William Cocke and Captain John Lightfoot, both of Colonel Byrd's regiment.

<sup>7</sup> Captain Samuel Meredith commanded a company in Col. Byrd's regiment.

<sup>8</sup> Charles Scott, captain of a company of regulars.

<sup>9</sup> Robert Munford, captain in Byrd's regiment. He wrote some interesting letters to Colonel Thomas Bland, of Prince George County, relating his experience in the war.

<sup>10</sup> James Gunn, captain in William Byrd's regiment.

<sup>11</sup> Benjamin Temple, of Hanover, was a captain in William Byrd's regiment in 1758 and a lieutenant in a battalion of Virginia regulars commanded by Colonel Wm. Peachy, in 1759.

recruiting Warrants, was all that was then allowed for Charges of enlisting, and only Subsistence to the Men followed. On this footing the settling becomes easy; but it leaves equal Service to receive only 4s. a day to one, while to another is Paid 10s.

I have given Capt<sup>n</sup> *Posey* £300 to enlist 30 Men more, and Col<sup>o</sup> *Washington* had £1000 to enlist Men. But if you have not enough to pay the Expences the Pay master must make it up out of what I send him for there is no more in the Treasury, at present.

I am glad you put me in mind of Mr *French Mason* and must by you desire Col<sup>o</sup> *Byrd* to do for him, and if he can to a Lieutenancy. Mr *Walker* & Mr *Eppes* are well recommended for Ensigns. Also Mr *Lovell* and young Mr *Lightfoot* Brother to *John*, may help you to Ensigns, as perhaps due to them or what I encouraged them to expect. Mess<sup>rs</sup> *Cary* & *Debnam* are in the Councils list of Lieut<sup>ts</sup> as are some others, tho not strictly entitled, as there were none to dispute it with them. I have sent back the Commissions without erasing any Names or Dates here, as I know not who will accept or refuse; but both Names and dates must be altered above, When that is known, to suit with the Regulation made in Council. And I leave it to the Col<sup>o</sup> to suit the Officers to their Companys as may suit best, and to fill all other vacant Commissions in the best manner as he shall judge.

As to the little old Accounts for the *Indians* you are Demurr'd about for signing; I should be glad to have them paid, many such are sent down and paid here, but they are first examined by 3 Commissioners here and then I gave an Order on the Treasury for a long list of them to one Person a neighbour, that brought them down. Let them prove the Acco<sup>ts</sup> by such Vouchers or Oath, and send them by a Neighbour coming down.

I shall by Mr *Boyd* who stays the signing, send up all I can for paying the Regiment's after their march, as you Desire.

Cap<sup>t</sup> *Meredeth* had an Order and received £300 to be accounted for at the Treasury by the Commanding Officer which he must therefore charge himself with; but as it was to enable him to recruit, it must be discharged by his acco<sup>s</sup> for that service.

I am now come to your concluding paragraph and from my own pains and attention to so many particulars can the better conceive of your 20 hours fatigue upon a stretch which you have lengthened by a needless Apology, as I think myself obliged to you for being so particular. Be thus or more particular in your Acco<sup>t</sup> of the demolition of Fort *Duquesne* and bind me yours forever I am Sir Your very hum Serv<sup>t</sup>

JOHN BLAIR.<sup>6</sup>

DRAPER MSS. 4 ZZ 41.

[A. L. S.]

W<sup>m</sup>sburgh June 19<sup>th</sup> 1758.

Sr

I recd the favour of your Letter by Mr *Mumford* by whom I send this in answer thereto. I am extremely obliged to you for your Congratulations on the safe Arrival of myself and my Family in this Dominion of which his Majesty has been graciously pleased to appoint me his Lieutenant Governor.

The Contents of your Letter being of great Importance and requiring an immediate Answer, I summoned a Council to meet this morning by whose advice, after duly weighing every part, I give you our Determination w<sup>ch</sup> I hope will be satisfactory in every Particular.

In the first place it was agreed to submit the recruit<sup>s</sup> Acc<sup>ts</sup> of the Officers to yourself and the Field Officers of your Corps, and you are desired to examine and audit the same,

<sup>1</sup> John Posey, captain in Colonel Wm. Byrd's Virginia regiment, 1758-1760.

<sup>2</sup> James Walker, who became a captain in Wm. Byrd's regiment.

<sup>3</sup> Francis Eppes, lieutenant in Byrd's regiment.

<sup>4</sup> Edward Cary, lieutenant in Byrd's regiment.

<sup>5</sup> Alexander Boyd, paymaster of the Virginia troops.

<sup>6</sup> John Blair was a nephew of James Blair, president of William and Mary College and the bishop of London's commissary in Virginia. He was a member of the Council and, as its president, became the acting governor of Virginia in the interval between the Dinwiddie and Fauquier administrations.



fame, and whatever shall be found reasonable by you will be allowed, of which you may assure the gentlemen, tho' the Money raised by the Assembly for paying acc<sup>ts</sup> of the 2<sup>d</sup> Regiment is so far exhausted that it cannot be immediately repaid them before the Assembly meets. This I hope will entirely remove all Cause of Uneasiness from the part of the officers, as I shall most earnestly recommend this point to the assembly on their meeting.

As for the private Men, they have this Day orderd the *French* prize Cloaths to be purchased of Col<sup>o</sup> *Hunter*, and to be immediately forwarded to the Army where it is hoped they may arrive in 7 or 8 Days. This Cloathing is sufficient but for 800 Men, therefore it is desired that you distribute them amongst those who are most in Need of them, stopping 2<sup>d</sup> a Day out of their pay as was practiced in the first Reg<sup>t</sup> and as it is imagined, that at least 200 of your Reg<sup>t</sup> have Cloaths sufficient for this Campaign, their pay will go on without any Stoppage. By this Step I hope the Desertion and all Complaints of the Men will be entirely stop'd. I ought to mention that there are but 200 Shirts made but there is Cloth and Thread to make up the rest, as well as Materials for the Leggings.

The officers Bonds will be sent up, to be deposited in your Hands, and to be delivered by you, when you shall find the Conditions have been complied w<sup>th</sup>

In Case of Capt<sup>n</sup> *Posey's* being broke, M. *Cockes* being appointed to succeed to that vacant Commission is approved of; and He may have the Commission accordingly. and in that Case, the Blank Commission herewith sent to you, may be fill'd up with the Names of either M<sup>r</sup> *Lightfoot* or M<sup>r</sup> *Munford*, as upon an Enquiry and Examination you shall find best intitled to it, by having first bro<sup>t</sup> in their Complement of Men to *Winchester*; the Rule originally laid down and most religiously observed in distributing those Commissions.

The calling M<sup>r</sup> *Cocke*, M<sup>r</sup> *Lightfoot*, and M<sup>r</sup> *Munford* all Capt<sup>n</sup> Lieutenants arose from a Mistake in the Gentlemen who were not well versed in Military affairs, and supposed the Lieutenants of the three Companies belonging to the three Field Officers, had all a Title to be rank'd as Capt<sup>n</sup> Lieutenants.

Thus Sir We hope we have settled all Matters to your and the Regiments Satisfaction. I am sure nothing shall ever be wanting on my part to give all reasonable Content to every Man engaged in his Majesty's Service to the utmost of my power.

I sincerely wish You all Success in the approaching Campaign, and to add to the Success hope to thank you all personally on your Return. I am, Y<sup>r</sup> Very Hum. Serv<sup>t</sup>  
FRAN. FAUQUIER.

On his Majesties Service To the Hon<sup>ble</sup> W<sup>m</sup> Byrd Esq<sup>r</sup> Col<sup>o</sup> of the second *Virginia* Regiment.

DRAPER MSS. 4 ZZ 52.

[A. D. S.]

Fort Loudon June 22 1758 Upper *Cherokees*

Whereas M<sup>r</sup> *George Turner*<sup>2</sup> was sent by his Excellency the Earl of Loudon to the *Cherokee* Nation to solicit as large a Number of those *Indians* as possible to joyn the troops in the Frontiers of *Virginia* and Whereas the *Little Carpenter*, *Great Warriour* and several head men Promised to go with him with a large body till the very day appointed which was the 21<sup>st</sup> of *June* 1758, that then at a meeting at *Chotees*, they said it was the opinion of their Conjurers, that there wou'd be much Sickness and Death attend them, and that they refused to go till the Fall, that the said M<sup>r</sup> *Turner* much amazed at this treatment told them that he shou'd hardly be credited on his bare report of this and therefore desired that the head men wou'd Come the next day to the Fort, and give  
this

<sup>1</sup> John Hunter, of Hampton, was colonel of the Elizabeth City militia and also commissary for the Virginia troops.

<sup>2</sup> George Turner was a well-known Indian agent.

<sup>3</sup> A Cherokee town near Fort Loudoun.

this answer before Cap *Paul Demere*<sup>1</sup>, and the other officers of the Garrison, who might testify the same, which might serve for his justification, in case He should be called to an Account for the Loss of so much time, and the waste of so much Public money, that they then did meet and did sign this before all the Officers of the Garrison, and likewise deliver'd a belt of wampum to Mr *Turner* to be deliver'd to the Commanding Officer with assurances that if he sent in for their assistance in the Fall by a long belt of Black Wampum, that a Considerable body wou'd go

THE LITTLE CARPENTER<sup>2</sup>

THE GREAT WARRIOUR

OLD HOP<sup>3</sup>

PRINCE

CONJUROR

WILLINAWA

HANDING TURKEY

MOY TOY<sup>4</sup>

[Each name is followed by a character, the Indian's mark.]

We whose names are underwritten do certify that the Above was sign'd in our Prefence as witnesses our hand Fort *Loudon* June 22 1758

JOHN WATTS  
WILLIAM SHORIE  
his  
AMBROS ♦ DAVIS  
mark

} Linguafsters

PAUL DEMERE Cap<sup>t</sup>

RICH<sup>d</sup> COYTMORE, Enf<sup>a</sup>.

JOHN BOGGERS Enf<sup>a</sup>.

MAN. ANDERSON Surgeon

DRAPER MSS. 4 ZZ 53.

[A. L. S.]

Winchester 4<sup>th</sup> Aug<sup>t</sup> 1758

D<sup>r</sup> S<sup>r</sup>

[Col. *Wm. Byrd*.] I arri'd here the evening before last & hop'd to have met with some orders from You Subsequent to the Express I sent in, but not finding them I suppos'd that you had not receiv'd my letter which I inclos'd to the General, but Capt. *Gest* who came here last night told me there was Expresses past very often between Fort *Cumberland* & *Carlisle*, Yet *Tommy Beemer* who came here Yesterday told me had never heard you mention me which makes me imagine you had not receiv'd it. So must trouble you with a Recital of it I was to acquaint you that the very day that was appointed for to march They refused going & laid it all to the Conjurors, I was so much astonish'd that I cou'd hardly believe what I heard, but beg'd that they wou'd all come to the Fort & Sertify the Same under their hands the which They did I have inclos'd it to you I have got a Belt of Wampum which I shou'd Send up but will (as it may be lost) bring myself which I cant do till I have the honour of a Line from you, for I have no Money to pay the Express & have this morning apply'd to Capt. *Gest* that I might not detain the Express any longer, He has partly promis'd to furnish me with money & I have told him I wont leave the Town till I pay him I must beg of you to put it into my Power & shall remain here till then. I have sent the inclos'd Certificate hoping you will

<sup>1</sup> Captain Paul Demeré was the British commandant at Fort Loudoun. Provisions ran short in the fort and the Indians besieged it. Demeré surrendered on August 7, 1760, but the British were attacked, notwithstanding, and Demeré and 26 others killed.

<sup>2</sup> Atta-culla-culla, or the Little Carpenter, was one of the principal chiefs of the Cherokee nations. He was concerned in making treaties with North and South Carolina about the beginning of the French and Indian War. He received Andrew Lewis with kindness when he came in 1756 to build Fort Loudoun. Atta-culla-culla was in general friendly to the English, and when Fort Loudoun fell in 1760 he enabled Captain Stuart to escape.

<sup>3</sup> Old Hop, or Oconostata, was one of the most famous Cherokee chiefs, and an enemy to the English. He was concerned in the Fort Loudoun Massacre, and also projected an attack upon Fort Prince George.

<sup>4</sup> Moy Toy was nominated commander and chief of the Cherokee nation in 1730 by Sir Alexander Cumming, who had been sent out to treat with the Cherokees. Moy Toy presented the crown of the tribe to Cumming, and six chiefs went to England to do homage to the king.

<sup>5</sup> Christopher or Nathaniel Gift. Christopher was a captain of rangers in 1756 and served some time thereafter. Nathaniel was a lieutenant in Christopher's company, and later a captain in Geo. Washington's regiment; later still, a captain in Col. Adam Stephen's regiment, which was raised in 1762. The man mentioned is probably Nathaniel Gift.



will be so kind as to show it to the General. The Morning I left Fort *Loudon* The *Little Carpenter* sent to me to desire I would call upon him as I went off, which I did & then he told me He was sorry that I was obliged to go alone and wished that I would stay, till the Fall, & then he would go in with me with 300 Men & said if the Gen<sup>l</sup> or you would send for them then they would come in & stay 4 Months in & out & added that They were sent for they I might come myself & then they would want no Presents unless some might ask for Mawkousens. I told him I should relate all that passed & so if you think proper to send I am ready to go if not I will join you as fast as I can. I congratulate you very heartily upon your Rank & hope to God you will live to enjoy it. I have set down every thing in my Journal that happened from the time parted with you till now tis too long for a letter but I will let you have it when we meet, I hope it will appear by that, that my Want of Success was owing to no neglect of mine. I have had a very long & Tedious Journey & believe I have travelled 1000 Miles since We parted. I shall be happy if my Conduct meets with your Approbation which as I am Conscious of no Error I flatter myself it will. I beg my Compliments to Col. *Mercer* & the rest of the Gentlemen I have the honour to know that is with you. I shall wait with some Impatience for a line till when I am with great truth My Dr Sr Yr most Obed. Servant

GEO: TURNER

Capt. *Smith*<sup>a</sup> told me of an Express he was to send so took that opportunity.

DRAPER MSS. 4 ZZ 42.

[A. L. S.]

W<sup>m</sup>sburg Aug<sup>st</sup> 17<sup>th</sup> 1758

Sr

I recd your two Letters of the 21<sup>st</sup> *July* and 3<sup>d</sup> instant by *Jenkins* who arrived here on the 15<sup>th</sup> and am so far from thinking you troublesome for your frequent writing, that I am always desirous to hear from the Army; for I think the better I am informed of the posture of Affairs, the better able I shall be to be serviceable to this Colony w<sup>ch</sup> is the utmost of my Wishes. I am sorry to find by yours and Col<sup>o</sup> *Washington's* Letters, that we have so little Room to expect great Matters this Year. I have by *Jenkins* wrote to him my sentiments at large on this Head to w<sup>ch</sup> I beg Leave to refer you, and I desire you will join with him in representing the Case of the *Virginia* Regiments, and the Temper of the assembly who have with so remarkable Alacrity raised these Men, for the important Service of the Reduction of Fort *du Quesne* w<sup>ch</sup> they so much depended on being performed or at least attempted this year, that they enlisted the Men till *December* only, and God only knows whether they may be prevailed on to do as much the next Year. My Endeavors shall not be wanting to induce them to it. But perhaps all this is too late to ward off the Attempts to cut a new Road which if already determined upon, seems to determine the Fate of that Fort for this Year at least. I don't doubt but that Col<sup>o</sup> *Washington* and your self will do all in your power to set this in its true light to your Commanding Officers. All I can add to what I have already wrote to Col. *Washington* is that I write these Letters by advice of Council w<sup>ch</sup> I summoned to meet this morning to consider your Letters, and may be supposed to well know the state of this Country, of w<sup>ch</sup> I must be in great Measure ignorant.

It was the Opinion of the Council that we had it not in our power to comply with your Request in relation to a Brigade-Major; the Act of Assembly is so particular, as even to mention the number of Officers to command the Regiment, and we cannot add one for whose Subsistence there is no provision by the Act. But as the Assembly will sit certainly on the 14 of September, If such an Officer is absolutely necessary, I don't doubt but they will readily come into it, as they have so generously done in all Measures for the public Service.

I have

<sup>a</sup> George Mercer, lieutenant-colonel of Byrd's regiment. George Mercer was a captain in Joshua Fry's regiment in 1754. In the Braddock expedition he commanded an independent company. He became a captain in Washington's regiment, and was promoted to be lieutenant-colonel in Byrd's regiment.

<sup>b</sup> John Smith, captain of rangers, and later of a company in Wm. Byrd's Cherokee expedition of 1761.

I have seen or heard nothing of *Humphries* since I sent him up, but hope you will be able to provide your self with a Doctor (a Surgeon, I fear you will not much want) for I really can not find any Body to send up to assist your Men; your Account of whom is the only comfortable Part of your Letter. I desire to have an exact Acc<sup>t</sup> of all the *Indians* who have been with you, and of all who remain with you at this Day distinguishing their Nations, for I am very apt to believe, the Service they do us is very inadequate to the Expence they occasion.

I shall never think it a trouble to correspond with the Gentlemen who have Command in the Army, on the Contrary I desire to hear every Step on all Occasions particularly so now before the Assembly meets, and the more free you are in giving your Sentiments (as far as you can trust them which shall never transpire beyond the limits you shall prescribe to them) the greater pleasure you will give to S<sup>r</sup> Your sincere Hum. Serv<sup>t</sup>

FRAN: FAUQUIER.

P. S. I will pay your Draught to M<sup>r</sup> *Cunningham* when presented, and the Money due to your Sutler, I am glad Capt<sup>n</sup> *Fields* Demand will not be soon made as the Treasury is low. Col<sup>o</sup> *Byrd*.

DRAPER MSS. 4 ZZ 43.

[A. L. S.]

W<sup>m</sup>sburgh Nov<sup>r</sup> 12<sup>th</sup> 1758

S<sup>r</sup>

I have now the pleasure to inform you that the assembly which I summoned to meet on *Thursday*, broke up Yesterday after having pass'd an Act to empower me to keep the Regiments with the Kings Army till the first of *January*; by which Time it is supposed the Fort will be taken or the Army retired from before it. I hope and believe there is no Doubt which of the two Events will take place. By the End of this Month or the beginning of next, I expect to be gratified with the agreeable News of its Surrender.

The Regiments under your Command cannot by Law be compelled to stay with you, but what I before wrote to you, and what I have said of them in my Speech will, I flatter myself, induce them to stay till the End of *December*, as their pay is provided for if they chuse it. But it must be their own Option. I am with great Esteem S<sup>r</sup> Y<sup>r</sup> Very Hum. Serv<sup>t</sup>

FRAN: FAUQUIER.

On his Majesties Service To the Honb<sup>le</sup> Will<sup>m</sup> *Byrd* Esq<sup>r</sup> Col<sup>o</sup> of the Second *Virginia* Regiment.

DRAPER MSS. 4 ZZ 46.

[A. L. S.]

W<sup>m</sup>sburgh Jan<sup>y</sup> 23<sup>d</sup> 1759

S<sup>r</sup>

I have recd your Letters of the 9<sup>th</sup> & 29<sup>th</sup> ult<sup>o</sup> and shall endeavour to comply with all your Requests contained in them as far as lies in me. And I hope you will consider the Commission I have enclosed in this Cover to M<sup>r</sup> *Menzie* as a Specimen of the Readiness with which I shall always be ready to do any Act, that I think can give you pleasure.

By some Expressions in your last Letter you seem to be willing to serve your Country, if She stands in need of your Service; give me Leave then S<sup>r</sup> to hope that an opportunity has offer'd which will recall you into this Colony. Colonel *Washington* has resigned his Command of the *Virginia* Forces (and is married to his agreeable widow) This Command is intended for you, on Condition the assembly when it meets in *February* will restore the Officers and put the Regiment upon the former Establishment, of which I believe there is now no Doubt, as I have consulted your Friend and mine the Speaker on this Head, and the Gentlemen who were the chief promoters of the alteration see their Error, and seem willing to retrieve it. But of this, Lieut<sup>t</sup> Col<sup>o</sup> *Mercer* who will deliver

<sup>1</sup> John Field, captain in Byrd's Virginia regiment. He became a colonel in Dunmore's War and was killed at the Battle of Point Pleasant, October 10, 1774.



deliver this to you, can give you a better Acc<sup>t</sup> as they are mostly his Friends, so he may better know their Dispositions. I am not without hopes of reinstating him, but this is an Affair in Embryo. Your Acceptance of this Command will I know be very agreeable to the Colony and particularly so to me.

General *Amherst* has wrote to me to use my Endeavours with the Assembly that they would pay the same number of Men as they paid last Year, whether they will be prevailed on to raise another Regiment I much doubt; but I firmly believe they will keep up the old one (which I hope I may call yours) on its former footing. If you see the General at *New York*, I should be obliged to you to have a Conference with him on the operations of the ensuing Campaign as far as they relate to this Colony, and let him know, you enter on the Subject at my instance. If he is not far from you I should be glad you would go to him on purpose.

I have mentioned your Journey into the *Cherokee* Country in Council, and Col<sup>o</sup> *Peter Randolph*<sup>1</sup> is to draw up a Memorial, and furnish me with Materials, for me to transmit to the Board of Treasury, w<sup>ch</sup> you may assure yourself I will faithfully perform.

The *Little Carpenter* is now here, conscious and cast down on Acc<sup>t</sup> of his bad Behaviour, and I believe all Differences are accommodated between us, and he seems glad to get off so. We have engaged to send the Goods to open the Trade in Spring.

I should be glad to know your Resolutions as soon as possible, that I may send you the commission as soon as the Assembly has settled the affair of the Regiment; tho' I should be much better pleased, if you would give me an Opportunity of presenting it to you in person, but it shall be done in the way the most agreeable to you, being w<sup>th</sup> great Regard S<sup>r</sup> Your very Hum. Serv<sup>t</sup>

FRAN: FAUQUIER.

To the Honb<sup>le</sup> W<sup>m</sup> Byrd.

DRAPER MSS. 4 ZZ 47.

[Transcript made for Byrd by *Amherst*.]

Extract 1.

W<sup>m</sup>sb<sup>urgh</sup>. Dec<sup>r</sup> 13<sup>th</sup>, 1760.

Sir,

I have received very pressing Letters from Gov<sup>r</sup> *Dobbs*<sup>2</sup> of *North*, & Gov<sup>r</sup> *Bull*<sup>3</sup> of *South Carolina*, that I would join with them in Application to You for Assistance from some of His Majesty's Troops Under Your Command, to subdue & quell the *Cherokee Indians*. I am of opinion that if a Peace is not made with them Provincial Troops alone cannot Effectually finish this Affair, to the advantage and honor of His Majesty's Colonies.

The Plan proposed between those Gentlemen & Myself, is, that an Attack should be made by the *South Carolinians*, Assisted by some Regulars from You, on the Lower Towns; and by Us Assisted likewise in the same manner, on the Upper Towns at one and the same time, to Divide their Force as much as possible. By the best Information I can Obtain it is probable, that if both parties of the *Cherokees* retire into their Middle Towns, they can long Elude the force of our Arms, by the Impracticability of the Country; but in that Case they must Abandon all their Upper & lower Towns & Crops, to the Mercy of their Enemies, and they must very soon be Reduced to the greatest Extremities for want of necessaries.

FRAN: FAUQUIER.

His Excellency Gen<sup>l</sup> *Amherst*.

<sup>1</sup> Peter Randolph, of "Chatworth," Henrico County. He was a member of the House of Burgesses for Henrico in 1749 and was appointed to the Council in 1750. He was also county-lieutenant of Henrico and surveyor-general of the customs for the Middle District of North America.

<sup>2</sup> Arthur Dobbs was an Irishman, who had served in Parliament and held various civil offices in Ireland. He was governor of North Carolina from 1753 to his death in 1765. He attempted to discover the Northwest Passage and wrote a good deal on that subject.

<sup>3</sup> William Bull was a native of South Carolina. He was appointed lieutenant-governor in 1759. In April, 1760, Governor Lyttleton left South Carolina for Jamaica, and Bull was acting governor until the arrival of Lyttleton's successor in December, 1761.

DRAPER MSS. 4 ZZ 26.

[L. S.]

Extract 1.

New York 19<sup>th</sup> January 1761

Sir,

I am this day favoured with Your Letter of the 25<sup>th</sup> November laft from *Wilmington*; Acquainting me that the Affembly was then fitting; and Confidering the granting an aid to His Majesty, for Six months to Co-operate with Your Neighboring Colonies; I am hopeful that their Refolves will have been favorable, and that by virtue thereof, this fo neceffary aid, will have been forwarded with the utmoft Difpatch, in order that they might be ready to Join, and Act in Concert with the *Virginia* Forces in their operations againft the *Cherokees* on that fide Whilft the Regular Forces under Lieut. Col<sup>o</sup> *Grant*, already in *Carolina*, and the Troops of that Province are attacking them on the other, in which Cafe we may promife ourfelves Certain fuccels; as the Numbers of thefe Combined Forces Acting as aforefaid, are full fufficient to Warrant & Enfure the fame; I muft therefore once more hope that the Province of *North Carolina* will not have been backward in Exerting themfelves to the utmoft in Aiding and Affifting in fo Effential a fervice but that they will, as they ought, have Chearfully and fpeedily Contributed thereto, with all their might and Capacity.

JEFF: AMHERST

His Excellency Gov<sup>r</sup> *Dobbs*.

DRAPER MSS. 4 ZZ 28.

[L. S.]

Extract 1.

New York 21<sup>st</sup> January 1761.

Sir,

Your Favor of the 15<sup>th</sup> ultimo, came to my hands laft night; the application it Contains at the Instance of the Gov<sup>r</sup> of *North* & L<sup>t</sup> Gov<sup>r</sup> of S<sup>o</sup> *Carolina* for the Affiftance of fome of His Majesty's Troops to fubdue & Quell the *Cherokee Indians*, has fome time fince reached me on the part of the firft, and very lately on that of the latter, as You will fee by my Letters of the 28<sup>th</sup> *Decem.* & 19<sup>th</sup> *Instant*; by the former of which You are acquainted with the powerfull Affiftance I have fent to *Charlef-Town*; By the other that the Affembly of *North Carolina* in *November*, were fitting, and Confidering the granting an aid to His Majesty, for fix months to Co-operate with their Neighboring Colonies: and by both how fully fufficient I thought thofe Combined Forces for the Services above mentioned.

I do not only Continue of that opinion, but am firmly perfuaded, if *Virginia* Continue their old Regiment of 1000 men, as from their paft Zeal I muft trust they will, altho' *North Carolina* fhould not, as they ought, Grant the propofed aid; that the *Virginians* acting agreeable to the plan You lay down of their attacking the upper *Cherokee Towns* whilft L<sup>t</sup> Colonel *Grant* with the Body of Regulars and the Provincial Troops of *South Carolina* attack the Lower ones, and further purfues his Inftuctions, I am firmly perfuaded, I fay, that the *Indians* muft foon be reduced, to the greateft Extremities and not only be glad to fue for & receive peace at our hands, but be Incapacitated for a long time thereafter from renewing Hoftilities of any degree of Confequence, to the Southern Provinces.

Wherefore as *Virginia*, *North* & *South Carolina* are more than any of the other Colonies Expofed to the Cruel & barbarous Infults of thofe favages; And that it is not in my power from the prefent Difpofitions of His Majesty's Forces, to fend them any more powerful Succour, than what I have already Affifted them with, I muft rely on their  
ftrongeft

<sup>1</sup> Francis Grant, colonel of the 42d Highlanders. He fought at Ticonderoga in 1758. He accompanied Amherft in the campaigns of 1759 and 1760. In 1761 he made a campaign againft the Cherokees. He ferved as brigadier-general in the Martinique expedition of 1762, and was alfo at the fiege of Havana in the fame year. He became lieutenant-general in 1777 and died in 1782.



ftrongeft & moft vigorous Exertion upon this Occafion; and that they will Chearfully and fpeedily to the utmoft of their Efforts And Capacities Grant & furnifh the further aids that are requifite for moft Effectually accomplifhing the intended Chaftifement of the *Chorokees*; which as I have obferved before, Cannot fail, if Conducted in the manner propofed; and that *Virginia* furnifh her 1000 men, on whom from the Character I have had of their Goodnefs as Soldiers, I rely much; as I do likewise on the greater facility of their operations from the Report Colonel *Byrd* has made me of the goodnefs & practicability of the Roads from Your Back Settlements to the Upper Towns.

JEFF: AMHERST.

Hon<sup>ble</sup> L<sup>t</sup> Gov<sup>r</sup> *Fauquier*.

DRAPER MSS. 4 ZZ 27.

Extract of a Letter from Lieut. Gov<sup>r</sup> *Bull* to General *Amherft* Dated *Charles Town* 24<sup>th</sup> *January* 1761

"I fent three days ago, an Exprefs to acquaint Gov<sup>r</sup> *Fauquier*, with the time, when it was propofed that our army fhould reach *Keowee*, and ftroingly urged him fo to Regulate his motions, as that the army from *Virginia* fhould arrive at *Chotee* about the fame time, that we might receive the advantage of putting the Enemy between two fires."

The General's Anfwer to the foregoing Paragraph.

"I have already acquainted You of my having wrote to Gov<sup>r</sup> *Farquier*, on the operations of the *Virginia* Troops; I have repeated my application to him on that fubject fince I received Your laft Letter; and I am in hopes, the Diverfion from that Quarter, will have the Defired Effect."

DRAPER MSS. 4 ZZ 38.

[A. L. draft by Colonel *Byrd*.]

Sir.

I took the Liberty to detain Lieut *Irwin* here 'till the Return of my Exprefs from *Virginia*, that I might be able to inform your Excellency by him what Troops may be expected from our Colony, & of their Tranfactions with the *Cherokees*. I therefore Sir inclofe you *G. F.* Letter, to which I beg Leave to refer you. Our affembly is to fet fome time in *March* & I dare believe they will comply with whatever you are pleaf'd to afk.

I have heard nothing more about the Savages than what the *New York* Papers contain'd, for that Reason I flatter myfelf they have fhown fome Attention to their Engagements with me. I hope Sir you will not take amifs my beging the Favour of you to allow Lieut *Irwin* to continue with me for this Campaign, if he does not go to *Europe*, becaufe he has realy been very ufefull to us hitherto.

You may depend Sir I fhall at all times be ready to obey your Commands at the fhorteft warning for I efteem it my higheft Honour to fubfcribe myfelf Your Excellencys Moft Obedient & Moft Huble Ser<sup>t</sup>

To Gen. *Amherft* Winter 1761 from *Philadelphia*.

DRAPER MSS. 4 ZZ 29.

Extract 1.

[L. S.]

*New York* 13<sup>th</sup> *February* 1761.

Sir,

I take the Opportunity of Captain *Mirrie* who fets out to morrow for *Williamsburgh*, to Acquaint You that I Yefterday received fome difpatches from L<sup>t</sup> Gov<sup>r</sup> *Bull* & Colonel *Grant*, advifing me of the fafe arrival of the Troops at *Charles Town*; but that thro'

<sup>1</sup> Keowee was one of the principal Cherokee towns, very near Fort Prince George.

thro' the want of Grads in the woods, it was then Impracticable for them to proceed into the Country; that therefore they must Deferr it till March, when Colonel *Grant* proposes to take the field, and to be at Fort *Prince George* by the 1<sup>st</sup> of *May*; at which time he Desires the *Virginia* Forces May be at *Chotee* in Order to Act in Concert with the Kings Troops; of all which I understand the Lieut. Gov<sup>r</sup> has given You notice, and has Urged You to Regulate Your Motions Accordingly.

As you must be sensible that the Acting of these two Bodies in Concert, must Ensure the more speedy success of the Intended operations; and that the Southern Provinces ought to have nothing more at heart, I trust that the Assembly will so strengthen Your hands, as to Enable You to send their Quota to the Rendezvous above mentioned at the time prescribed.

JEFF. AMHERST.

Hon<sup>ble</sup> Lt Gov<sup>r</sup> *Fauquier*.

DRAPER MSS. 4 ZZ 50.

[A. L. S.]

W<sup>m</sup>sburgh Febr<sup>y</sup> 16<sup>th</sup> 1761.

Sir.

I recd your Letter of the 6<sup>th</sup> by Express, yesterday which gives me the Satisfaction of knowing I am soon to expect the pleasure of seeing you here, honoured with a command w<sup>ch</sup> I hope will be agreeable to you, and beneficial to your Country.

That you may be fully Master of the present Situation of our Affairs, I will give you a Detail of my late proceedings. General *Amherst* has in my Letter to him a full Acc<sup>t</sup> of the plan w<sup>ch</sup> appears to me the only one w<sup>ch</sup> can promise Success, and w<sup>ch</sup> by a late Letter from Gov<sup>r</sup> *Bull* is quite agreeable to him, and w<sup>ch</sup> he says he has concerted w<sup>th</sup> Colonel *Grant*. A Description as plain as I was able to give it, (but w<sup>ch</sup> you can make much more so) of the Nature of the Country, the Forces were to march thro' and a Requisition of what assistance appears to me to be necessary to perform and complete this work.

As to recruiting the Regiment, I have not been very solicitous about it, as I had great Doubts whether the general assembly would continue them in pay beyond the first of *May* or not, I rather thought not; but by your Letter, one I have lately recd from Gov<sup>r</sup> *Bull*; and one I daily expect to receive from General *Amherst*, all of w<sup>ch</sup> I propose to lay before the assembly on their meeting the 5<sup>th</sup> of *March*, I am now inclined to hope and believe they will be induced to keep up the Regiment complete. Another Reason w<sup>ch</sup> made me backward in advancing Money for the recruiting Service, was, the unwillingness or absolute Refusal of the gentlemen to settle their recruiting Acc<sup>ts</sup> except upon their own Terms; w<sup>ch</sup> the assembly may allow, but w<sup>ch</sup> I, as an honest Man entrusted with the Disposal of the Money of others, cannot.

In Relation to the presents to the *Carpenter* and the *Indians* who come in with him, I have enclosed to you a copy of a Letter I have this morning wrote to Capt<sup>n</sup> *Bullett* on that head, by w<sup>ch</sup> you will judge of the Sentiments of the Gentlemen of his Majesty's Council and see what steps I have taken therein. As I have no prospect of having a full Council before the first Day of the Assembly, I think it proper to advise you that I do not propose to take any further measures either as to recruiting the Regiment or providing Goods for the *Indians* till then the Time being near at hand.

It gives the greatest pleasure to find I am soon to be able to confer with you on the Subject of the peace proposed to the little *Carpenter* because I foresee great Difficulties arising from that Quarter. If he should perform his promise and Engagements, we cannot enter their Country w<sup>th</sup> Fire and Sword, without a most notorious and infamous Breach of Faith; and if we should refuse it we shall with Justice be represented at home by *Carolina*, as having deserted them and made a separate peace for ourselves. I shall  
be

<sup>1</sup> Thomas Bullett was appointed an ensign in Washington's regiment in 1754 and later in the same year became a lieutenant. He rose to the rank of captain in the French and Indian War, and served with the same rank in Dunmore's War and the Battle of Point Pleasant.



be much obliged to you to see General *Amherst* and consult with him on this Matter, to whom I request the Favor of you to make known these my Sentiments at large and let me know the result of your Conferences as soon as possible: for as it appears to me much will depend thereon.

I have already sent Orders to Lt. Col<sup>o</sup> *Stephen* to rendezvous all the Men returned from Fort *Pitt* and the other posts at *Winchester*, and to refresh the Men there, but to have them in Readiness to march Southwards immediately, on Orders for that purpose. They cannot possibly join the Men on the Southwest Frontier by the Full Moon in *March*.

Having now finished all public Business, give me Leave to congratulate you on your Marriage w<sup>th</sup> your Express informed me of tho' you are silent on that Head; and to assure you that I most sincerely wish you all the Happiness you expect from an agreeable I may say handsome woman (as I am informed) one of a handsome Family of w<sup>th</sup> I am some Judge having seen a Specimen in M<sup>rs</sup>. *Stirling*. I shall endeavour to make *William*<sup>s</sup> as agreeable to M<sup>rs</sup>. *Byrd* and all her handsome Sisters as I am able when I have the pleasure of seeing them here. I am with great Regard, Sir your most Obed<sup>t</sup> hum. Serv<sup>t</sup>,  
FRAN: FAUQUIER

DRAPER MSS. 4 ZZ 30.

[A. L. S.]

New York 5<sup>th</sup> March 1761

Dear Sir.

I am yesterday favoured with your Letter of 22<sup>d</sup> February, by Lieutenant *Irwin*, enclosing one of the 16<sup>th</sup> from Governor *Fauquier* to you, but before I enter on the Subject of either of them, I must desire you will accept of my Congratulations on the change of your State, since I had the pleasure of seeing you, and be assured, I sincerely wish you all the happiness you can have proposed to yourself, and that will consequently follow from so judicious a Choice, as I am told, you have made.

Captain *Heming* or Lieut *Dow* will set out to day, and I intend this should be delivered to you by the first who goes. you are well acquainted with my opinion in regard to the Savages, and as to the present Situation of the Provinces of *Virginia* and *Carolina*, as far as is relative to the *Cherokees* and their Abettors, I think all proper means are taken for an effectual Chastisement of that fickle and Vile Crew. that you may know more fully the measures which are proposed I send you paragraphs of some Letters I have received and wrote on that Subject, by which you will likewise see Governor *Fauquier* will have received from me, what he mentions to you that he expected.

I am entirely of Governor *Fauquier's* opinion about making a separate peace, that must not be, or must our Faith either with the little *Carpenter* be broke, without Reason, by us, in acting opposite to what may have been solemnly promised. as I shall have the pleasure of seeing you soon, we will talk on this.

It gives me pleasure that Lt *Irwin* has been useful to you in the last Campaigns, if the Service should not require his presence with his Regiment, I shall be glad to leave him with you, if you desire it.

I return you M<sup>r</sup> *Fauquier's* Letter and am with great Regard Dear Sir, Your most Obedient Humble Servant

JEFF. AMHERST.

Colonel *Byrd*.

DRAPER MSS. 4 ZZ 30 1-2.

[A. L. draft.]

Besides I understand Lieut Col<sup>o</sup> *Grant* proposes that the *Vir<sup>ns</sup>*: should be at *Chottee* by the 1<sup>st</sup> of *May* by which time he expects to be at *F. P. G.*<sup>2</sup> with his Army in Order to

<sup>1</sup> Mary Willing, daughter of Charles Willing, of Philadelphia. William Byrd's first wife was Elizabeth Hill Carter, daughter of John Carter, of "Shirley."

<sup>2</sup> Fort Prince George stood on the Savannah River near its source and three hundred miles from Charleston. It was built by Governor Glen of South Carolina. It contained barracks for one hundred men and was well supplied with cannon. After the fall of Fort Loudoun the Cherokees seriously considered making an attack on Fort Prince George, with the assistance of the cannon found at Fort Loudoun.

to hem in the *Indians* in the Middle Settlement, & he seems to think we can take Possession of that Town, with as much ease as he can march to *F. P. G.* & does not Consider that the whole Force of the Enemy will attempt to defend their upper Cuntry, while he is laying his Plans below, for there is their Retreat & there their Magazenes & most valuable possessions. As to their middle Settlements, there are neither difficult Passes to obstruct Lieu<sup>t</sup> Col<sup>o</sup> *Grants* men from below, or strong Holds to prevent his Success  
Colo *Byrd's* Letter to the Genl. March 10<sup>th</sup> 1761.

DRAPER MSS. 4 ZZ 31 1-2.

[A. L. draft.]

Sir.

I yesterday had the Honour to receive your Excellency's Commands by Lieu<sup>t</sup> *Irwin*, & propose to set out for *Virginia* as soon as possible & make no doubt but that I shall get there in time to our Assembly. I sincerely wish the Southern Provinces may vote Men sufficient to answer your Expectations. I shall use my utmost endeavours, not only to carry that Point in the Assembly but to levy the Men in Consequence thereof without delay. As I am at a Loss in some essential Particulars I take the Liberty to send this Express to you Sir for your orders therein, & have directed him to return immediately, & to follow me in case I can get away before he comes back. If the Colony of *Virginia* raises more Men than to complete the old Reg<sup>t</sup> they will be greatly distressed for Arms, for I know by experience none are to be procured there, & I believe *North Carolina* will be in the same Situation, which will probably delay the March of the Troops as long this Year, as it did the last. neither is it possible to provide tents in either of those Places. In regard to the Provisions & Carriage, I believe Sir 'tis your Intention the charge of them is to be born by the Crown (for the Colonys I am convinced will not vote a Shilling for that Purpose) therefore you will be pleased to inform me who to apply to. There must likewise be Contingencies which I do not know whether you intend shall be paid by the Crown or the Colonys; I hope we are not to depend upon the last. If they are to be defray'd by the first I think it will be proper to appoint Lieu<sup>t</sup> *Irwin* to act as D. Q. M. G. as he is perfectly well acquainted with Accounts. With Respect Sir to what I am to do, in case the Colonys comply with your Letters, I hope I am to receive Orders from you, (for the Governours are so confused in their Military Plans that 'tis impossible ever to know what they would be at) particularly in regard to a Peace with the *Cherokees*, for 'tis probable when they are alarm'd at the approach of two Armys they may apply to me rather than any body else, from the Acquaintance I have with them, & I shall be at too great a Distance to consult with Lieu<sup>t</sup> Col<sup>o</sup> *Grant*, or to be acquainted with your Orders to him on that Head; therefore I flatter myself Sir I shall be honoured with your Instructions by the Return of the Express. As there must be many raw Officers on the Campaign with me I hope your Excellency will not take it amiss that I beg the Favour of you to allow Maj<sup>r</sup> *Stuart* & Cap<sup>t</sup> *McKinzie* to continue in the Regiment till it returns from that Expedition. I would not take this Liberty Sir but that I well know they will be of great Advantage to the Service.

Col. *Byrd's* Letter to G. *Amherst*, March 21<sup>st</sup> 1761.

DRAPER MSS. 4 ZZ 35.

[A. L. draft of letter from Colonel *Byrd* to General *Amherst* in reply to latter's of March 5.]

Sir.

By Cap<sup>t</sup> *Herring* I had the Honour to receive your Excellency's Letter of the 5<sup>th</sup> of the Month & beg Leave to join with M<sup>rs</sup>. *Byrd* in thanking you for your very polite  
Congratulations

<sup>1</sup> Robert Stewart was one of the captains of the Virginia regiments at Braddock's Defeat and was in service in Washington's regiment at the time of the latter's retirement in December, 1758.

<sup>2</sup> Robert McKenzie was a captain in the Virginia regiment in 1755 and was present at Braddock's Defeat.



Congratulations on our Marriage. We both intend ourselves the Pleasure of making our acknowledgements to you at *New York* when the Roads are better, but if Sir you think it necessary to see me before that happens I shall with the greatest Cheerfulness attend you. I have with the strictest Attention considered your Excellency's Letters to myself & the Governours of the Southern Provinces with the Copies of their's to you & think it my Duty on this Occasion to give my Opinion on the intended Expedition against the *Cherokees*, & hope Sir you will not think me impertinent in differing from you on some Points. From the preceding Conduct of the Assembly of *North Carolina*, I fear nothing is to be expected from them now, more than the Protection of their own frontier. *Virginia* will probably continue her Reg<sup>t</sup> (completed) to act in conjunction with any Troops you may think proper to order to the S. W. but I suspect Sir from what I have heard the Assembly will object to its marching out of the Colony unless join'd to what they may think a Sufficient force to awe the *Cherokees* in their upper Towns, as they well know the impracticability of the Passes thro' the Mountains for an Army from *Charles Town* & the inability of so small a party of Men to annoy them there if any unforeseen accident should happen to delay the March of Col<sup>o</sup> *Grant*, & really Sir I must so far agree with them as to think it very improbable that the two Armies can attack at the same time, considering the Distance between them on their march will be some hundreds of Miles, the Communication cut off, & every Rain may oblige one or the other to halt for several Days. The Enemy will certainly have intelligence of our Motions & will have it in their Power to oppose either army with their whole Force, as they can march from their upper Towns to their middle Settlements in 24 Hours. If Sir we depend on the *Virginia* Reg<sup>t</sup> alone to attack the over-Hill's Towns I imagine we shall find our Numbers very unequal to the Task. For should it be complete upwards of 300 of the Men will be New Recruits who I have never found able to endure the Fatigues of such a March, besides the Garrisons for the many necessary Posts on the Communication & the Escorts will employ most of the Troops. I am convinced Sir our Assembly would readily comply with your Demand was it possible for you to spare 500 of his Majesty's Troops for that Quarter, & I hope you will excuse my taking the Liberty to say I think 1500 good Men are no more than are absolutely necessary for that Service, for as their principle & most Populous Towns are to the westward of the Mountain 'tis to be supposed they will defend them with their largest Force, & I need not paint to you the fatal Consequence that will attend the unhappy People on the Frontier in case of a Miffcarage.

With Respect Sir to a Paragraph in your Letter to *G. F.* of the 21<sup>st</sup> of *Jan<sup>y</sup>* relating to our Troops pursuing the Directions they may receive from Col<sup>o</sup> *Grant*, I hope you will not take it amiss that I observe to you I had the Honour to Command that Gentleman in a former Campaign & have still a Right to do it from the Commissions we are possessed of, unless there should be a particular order from your Excellency to the Contrary.

If the *Virginians* take the field this Spring I think it my Duty to inform you Sir they have neither Tents Kettles &c & I do not know whether the Colony will pay for them now as the Crown has done it hitherto.

I am extremely obliged to you Sir what you said of *Lieut Irwin* & am very sorry to give you the trouble of so long a Letter. I am with all Respect

YOUR E

DRAPER MSS. 4 ZZ 48.

[A. L. S.]

To the Hon<sup>ble</sup> William Byrd Colonel of the Regiment and Comm<sup>r</sup> in chief of the Forces of *Virginia*, and of the Expedition into the upper *Cherokee* Towns.

Sir.

In pursuance of an act of assembly pass'd here the 31<sup>st</sup> of *March* 1761, I hereby desire you to recruit the Regiment to the full number of one Thousand Men, after discharging such Invalids as are unfit for Service. The Bounty-Money allowed by the said act is £5 p<sup>r</sup> Man, besides the Clothing already provided for them. The officers recruiting

recruiting are to be allowed 1 sh<sup>1</sup> p<sup>r</sup> Day Subsistence for the Recruits, till they are provided for by the proper Commissary appointed or to be appointed for that Purpose. And they are further to be allowed £1. 10. 0 p<sup>r</sup> Man for their Expenses in raising such Recruits; which Sum is to include all Expenses whatever.

You are desired to order the Division of the Regiment now at *Winchester* under the Command of Lieutenant Colonel *Stephen*<sup>\*</sup> (if not already done) to march southwards to join the rest of the Regiment, at the Posts on the South-west Frontiers, forthwith: as you shall judge most convenient for that Purpose.

As soon as this Junction is made, you are desired to proceed forwards to *Stallnacker's*<sup>2</sup> or such other post as you shall judge most convenient; and there to erect a small Log-house Fort for the Security of provisions, ammunition &c. and from thence to advance with as many picked Men as you shall judge necessary to the *Big Islands*<sup>3</sup>; leaving Lieut. Colonel *Stephen* to follow as soon as may be with the new raised Men and the rest of the Regiment, there to wait for Orders from Major General *Amherst* under whose Command and by whose Directions You are to conduct the intended Expedition into the upper *Cherokee* Towns.

That no Time may be lost, and to prevent any the least Imputation of Delay being laid to the Charge of this Colony You are desired to effect this as soon as possible, and to communicate these Instructions to Major General *Amherst* immediately; and to inform him that you are to obey such orders as you shall from Time to Time receive from Him, in prosecuting this Expedition. and lastly

You are desired to omit no opportunity of keeping open a constant and regular Correspondence with Major General *Amherst*, Governor *Dobbs*, Lieutenant Governor *Bull*, Colonel *Grant*, and my self so far as in any wise concerns or relates to the Expedition carrying on under your Command.

Given under my Hand at *Williamsburgh* this 28<sup>th</sup> Day of *April* in the year of our Lord 1761 and in the first Year of his Majesty's Reign

FRAN. FAUQUIER

Instructions to the Hon<sup>ble</sup> Colonel *William Byrd*  
Dated 28<sup>th</sup> 1761

DRAPER MSS. 4 ZZ 32.

[L. S.] *New York, 11<sup>th</sup> May 1761.*

Sir.

By the Express which Arrived here last Night from L<sup>t</sup> Gov<sup>r</sup> *Fauquier*, I have received Your Letter of the 19<sup>th</sup> of *April*.

I find His Majesty's Requisition for raising as large a Body of Men, as the Number and Situation of the Inhabitants of *Virginia* may allow, has not met with the Success that I flattered myself it would; notwithstanding that it appears to be the opinion of the Gentlemen of the Colony that a Thousand Men are not Sufficient; I must own I differ with them in the last point; but I am very sorry to find that they have not Exerted their utmost Efforts in Raising men According to His Majesty's Commands which might have given You all the Number You could have Desired.

The L<sup>t</sup> Governor Acquaints me that he had given Orders for making the Regiment as Compleat as possible Discharging the Invalids and Unserviceable Men, and he is so sensible

<sup>\*</sup> Adam Stephen was appointed a captain in Fry's regiment in 1754, and became a major or lieutenant-colonel upon Fry's death, serving until the command was discharged. He was appointed paymaster to the troops raised in the winter of 1754-55 and served until superseded by William Byrd. Stephen was captain-commandant in the Braddock expedition, with actual command of the Virginia companies. He was appointed lieutenant-colonel of the Virginia regiment when Washington resumed command. He continued to serve in this capacity under Byrd until the regiment was discharged in 1762. He commanded the Virginia regiment raised in that year.

<sup>2</sup> Stallnacker's was located on the Fry and Jefferson map of 1751 on the Middle Fork of the Holston a few miles above its junction with the South Fork. In 1750 Dr. Thomas Walker and his associates met Stallnacker and helped him build his house. This was the extreme settlement in Virginia to the westward. In 1756 the Indians wished to meet the Virginia commissioners at Stallnacker's to make the pending treaty. In 1768 or 1769, J. F. D. Smyth, the English traveller, stopped with Stallnacker on his way to Kentucky.

<sup>3</sup> Big Island of the Holston; not far from the French Broad. It was a well-known place of rendezvous.



fenfible of the Neceffity there is of Your Marching as Early as poffible that I am Confident he will Expedite that bufinefs to the utmoft.

The Pofts on the Communication being Guarded with Militia, will undoubtedly be of great help; If thefe People have been Ufed to Stay no longer than they liked they muft now be brought to a better Senfe of their Duty, that the Communication may be kept up in the manner it ought to be.

I am Surprifed to hear that no fteps are taken for Your Provifion, when Brig<sup>r</sup> General *Monckton* immediately Sent through the hands of the Contractors Agents at *Philadelphia* Orders to D<sup>r</sup> *Walker* for Supplying You; and had my Directions to Inform himfelf of the beft method, by which the Supplies could be Continued; and on Confidering the whole, it was Determined to leave it in D<sup>r</sup> *Walker*'s hands, and Meff<sup>rs</sup> *Plumstead & Franks* wrote to him accordingly.

I Acquainted You in my Letter of the 24<sup>th</sup> of *March* with regard to any Contingencies, if there are any, the Province muft Defray them; and when the Accompts are hereafter laid before me, whatever Articles Should be borne by the Crown, I would Direct the payment of them.

I am Extreemely Sorry to find that You think You can do nothing to annoy the *Cherokees* with Your Regim<sup>t</sup> alone; which You alfo believe will not be Completed by Midfummer I am hopefull the Events will prove otherwise.

I have already fully Acquainted You of my Sentiments in regard to the operations You are to Carry on, which are to Co-operate with L<sup>t</sup> Colonel *Grant*, and to march and attack the *Cherokee* on one Side, while he does it on the other. You already know the Road, and Your Marching up that way Can't but be of the greateft Affiftance to Colonel *Grant*.

I fhall give You the Same orders, as I have given to L<sup>t</sup> Colonel *Grant*, as to granting the *Indians* a Peace which muft not be untill they have been properly Chaftified; when that is Executed, and that Peace Seems Eligible, I refer the terms of it to L<sup>t</sup> Gov<sup>r</sup> *Fauquier*, who, with his Council, are to Digest, Direct, and bring the Same about, as they fhall Judge proper, which I rely he will do, in Concert with L<sup>t</sup> Governor *Bull*, & Decline a Separate Peace, which is by all means to be avoided; and You will therefore follow Such Inftuctions as You fhall Receive from L<sup>t</sup> Gov<sup>r</sup> *Fauquier*, in regard to any overtures that may be made for a Peace.

You will, of Courfe, take great precautions on Your marches, in having flanking and advanced parties that You may never be Surprifed; and thefe parties Should, on any attack always be fupported, and Act offenfively.

There is no Danger in pushing *Indians* boldly; they will never Stand an Attack; but this is to be done with order; there is great Danger in retreating from *Indians*, be You ever fo Carefull, & that You do it in the moft Regular manner; You are fo well Acquainted with their motions, that, I think, I hardly need mention this, or Caution You of the pofts & Camps that You'll take, that they may be Such as never to give the *Indians* an opportunity of Gaining the leaft advantage.

I have nothing more to add to what I have already wrote to You, and have verbally acquainted You, I muft leave the reft to Your Judgment & Experience and I truft to your Zeal in Executing Every thing that may be for the good of His Majefty's Service,

\* Robert Monckton commanded at the reduction of the French forts in Acadia in 1755 and deported the Acadians. He became lieutenant-governor of Nova Scotia in 1756 and lieutenant-colonel of the Royal American regiment in 1757. He commanded a battalion at the fiefge of Louifburg in 1758. He was a brigadier-general at the fiefge of Quebec and was feverely wounded. He became governor of New York in 1761 and commanded the expedition which captured Martinique in 1762. His death occurred in 1782.

2 Dr. Thomas Walker, of "Caftle Hill," Albemarle County. He was probably the firft white man to enter Kentucky, going there in 1750, thirteen years before Daniel Boone's vifit. He gave the name to Cumberland Gap and the Cumberland Mountains. Walker was commiffary-general of the Virginia troops from the time of Braddock's expedition to the end of the war. He was prefent at the Defeat. Walker was appointed by Virginia a commiffioner, along with Andrew Lewis, to treat with the Six Nations at Fort Stanwix, New York, in 1768. He was alfo an Indian commiffioner for Virginia in 1777. He was a member of the Virginia Houfe of Burgeffes in 1775 and was put on the fecond Committee of Safety. He was one of Virginia's commiffioners in 1778 to complete the running of the boundary line between Virginia and North Carolina. Walker died in 1794.

vice, that You will, on this Occasion, do Every thing to the best of Your power, to attack and annoy the *Indians*; Co-operate, & Assist Col<sup>o</sup> *Grant*; and I Doubt not but Your Success will Convince You, it is not in the power of *Indians* to Essentially hurt a Body of a Thousand men, who are well Commanded, and on whom I rely for fully Executing this Service Under Your Directions.

I am, with great Truth, Sir, Your most obedient Servant.

JEFF. AMHERST.

Colonel *Byrd*

DRAPER MSS. 4 ZZ 39.  
[A. L. draft by Colonel Byrd.]

Sir.

Your Excellency's Letter of the 11<sup>th</sup> of May came to Hand only the Day before Yesterday. From the length of time I had been without your Orders, & not having yet heard anything about the Contractors, I concluded this Expedition has been given over, however I forwarded everything under my Direction as far as possible, & as I inform'd you in my Last by Express had advanced the Troops as far on the Frontier as they can be subsisted. The Contractors have not to this Hour employ'd any Person to furnish me with Provision, neither have they sent one Shilling of Money for that Purpose. On receiving your Excellency's Instructions to push on without Loss of time to cooperate & assist Col<sup>o</sup> *Grant*, & being sensible, I am now full late to be serviceable to him, according to your Plan, & that no further Delays can be admitted of, I hope Sir you will think I have done right in sending all over this & the next County to engage the Farmers to deliver a Large quantity of Flour at the advanced Post, & to provide as many Carriages as we shall have occasion for on our March. By my own Endeavours & at my own Risk & Credit & by the Diligence of those I employ'd, I have so far succeeded, as to find I shall be able to march this Detachment of the Reg<sup>t</sup> on *Thursday* next, when you may be assured Sir I shall lose no time in executing your Orders, for I flatter myself Doctor *Walker* will have directions to pay off my Engagements, & to supply us properly hereafter. I inclose a Return of my Regiment, which I wish may prove strong enough for the intended Service.

Letter to Gen<sup>l</sup> June 2<sup>d</sup>.

DRAPER MSS. 4 ZZ 49.  
[A. L. S.]

W<sup>m</sup>sburgh July 1<sup>st</sup> 1761

Sir.

I recd your two Favors of the 23<sup>d</sup> June on the 28<sup>th</sup> and had very luckily summoned a Council to meet on the 29<sup>th</sup> (on the advising the most proper Cruise for his Majesty's Ship *Affiance* who brought in the *London* Fleet and is to cruise on these Coasts for the protection of the Trade till he returns) to whom I communicated your Letters.

I have sent up the Breviats for Colonels to Mr *Stephen* and Mr *Lewis*<sup>1</sup> to prevent their being subject to the Command of a Junior officer as you desired, and Letters to the Lieutenants of the Countys to prepare Militia to occupy the posts you will be obliged to leave, in which Service I desire you will employ as few as possible, in order to save Expence of w<sup>ch</sup> the Colony will soon grow tired.

By the Return of the Regiment it appears that it will be tolerably strong when the Recruits join, there being now by the Return 732 rank and file Men exclusive Serj<sup>ts</sup> Corporals &c.

I wrote to you on the 15<sup>th</sup> *June*, but as the Messenger had orders to call at *Warrick* about the sending up the paper, powder and flints, and then was to proceed to *Bedford* Court

<sup>1</sup> Andrew Lewis was a native of Ireland, son of John Lewis, and settled in Augusta. He early saw service on the frontier and was wounded twice at Fort Neceffity. He was major in the Virginia regiment in the Braddock expedition. He commanded the Sandy Creek expedition in 1756 and was taken prisoner at Grant's defeat in 1758. He was a Virginia commissioner at the Fort Stanwix treaty with the Six Nations in 1768. Andrew Lewis commanded at Point Pleasant in 1774, and when the Revolutionary War broke out he seemed to have a great military future. He drove Dunmore from Virginia and then his active service ended.



Court Houfe there to enquire whether you were at *Staunton* or were gone to the Army on the out Pofts, you could hardly have recd thofe Letters when you wrote. The Mef-fenger was charged w<sup>th</sup> Letters for you from General *Amherft* and from the *Carolinas*.

I fhall fign a warrant to Col. *Hunter* for the payment of Mr *Frank's* Acc<sup>t</sup> amounting to £989. 4, 6-1-2 pen<sup>y</sup> Cur<sup>ev</sup> tho' this affair met w<sup>th</sup> great Difficulty's, the payment being once ordered to be poftponed till the meeting of the Affembly; but for a particular Reafon I was afterwards advifed to pay it immediately and submit it to the approbation of the affembly when it meets in Nov<sup>r</sup>. The Reafons for this Demur were many w<sup>ch</sup> I was defired to advife you, and at the fame time to warn you from running haftily into any unneceffary Expences for the future. The goods ordered as by Acc<sup>t</sup> recd from Mr *Franks* were fufficient, and calculated for a Regiment of 1000 Men to be new raifed, deftitute of all thofe articles. Now tho' our Men might want fome goods of every article it was impoffible they fhould be in the fame Situation as a new raifed Regiment. By my Letter of the 14<sup>th</sup> Nov<sup>r</sup> laft you will obferve that I therein told you very plainly, that it was the Senfe of the affembly that all the money expended on the Regiment, fh<sup>d</sup> be laid out in this Colony and not out of it. In the fame Letter I mentioned the Demurrage on the payment of your Draught to Mr *Cunningham* being defigned as a Check. To w<sup>ch</sup> Letter I refer you.

If fuch things were abfolutely neceffary, it was proper it fhould be made known, that we might confult whether the Fund was able to anfwer the Expence, thofe Articles not being confidered in the Eftimate. This care of the public Money being expected from me there is another Reafon w<sup>ch</sup> tho' but conjectural, yet the Date of Mr *Franks's* acc<sup>t</sup> authorizes fuch a Conjecture w<sup>ch</sup> is, that thefe goods were ordered by you before you left Philadelphia to come to *Williamsburgh*, when you had not the Charge of the Regiment, and bore no Commiffion from me in the Service of this Colony. Notwithftanding all thefe weighty Reafons againft it to fupport your Honor in *Philadelphia* the Council were of Opinion I fhould grant the warrant tho' they doubted much of the affembly's allowing it in the paffing the Treafurer's Acc<sup>ts</sup>. The Council are further of the opinion that the articles of Buckles, Garters, Combs, & Stocks fhould be ftopd out of the Men's pay if they take them. thefe amount to a confiderable part of the Demand.

As for the affair of peace, you will pleafe to recollect that in my former Letters of July 24<sup>th</sup> & October 17<sup>th</sup> 1760, I told you that this Colony did not confider themfelves as principals in this *Cherokee* Warr, therefore all Matters of that Sort were to be refer'd to Gov. *Bull*, to w<sup>ch</sup> Letter I beg Leave to refer you. Gen<sup>l</sup> *Amherft* in his Letters to you, fays, that after Col. *Grant* and you have chaftifed the Indians all affairs of peace are to be left to the Difcretion of the Governors, in w<sup>ch</sup> the Military are not to be concern'd if I rightly remember his words. L<sup>t</sup> Gov<sup>r</sup> *Bull* in a late Letter I have recd from him, fays that the neighboring provinces fending Deputies to meet about the fettling peace will occafion Delay: therefore in Compliance w<sup>th</sup> the Directions he has recd from General *Amherft*, (an Extract of whose Letter he fent me) he fhall take upon him to make peace as well for the Subjects of all the Britifh Colonies, as of his own in particular, at *Charles Town*, in due Form w<sup>th</sup> the Deputies of the *Cherokee* Nation, whenever that Meafure fhall be neceffary. For all thofe Reafons I fhall not take upon me to have any hand in the making of peace but leave that Matter entirely to Mr *Bull*, therefore if any propofals of that Sort fhould be made to you, the *Indians* are to be told that they muft fend Deputies down to *Charles Town* together w<sup>th</sup> the Deputies of the middle and lower Towns to concert on Terms of peace and Friendfhip with the Governor of *South Carolina* whose proper Bufinefs it is, and that we cannot enter into Conferences with them on the Subject, but that you will be ready to forward any talks of theirs to the Governor of *Carolina* to expedite matters if they defire it. But this Colony will engage for nothing but to regulate themfelves according to the Articles of peace that fhall be made and figned at *Charles Town*. At the Defire of Mr *Bull* I have given him my own opinion what their Terms fhould be, w<sup>ch</sup> is the Securing our own Settlements from any future Inroads, and the preventing their Commerce and Intercourfe w<sup>th</sup> the *French* by any means proper for

for that purpose, but that I think we have nothing more to ask or insist on, and such a peace without hard or apprehensive [oppressive?] Terms may possibly, I may almost say probably be lasting, w<sup>ch</sup> is what we want, so that we may not be kept in continual alarms.

I have some time since informed General *Amherst* of the Cause of your Delay, by the Contractors not doing their Duty. His Letter to you was sent to me open under the flying Seal w<sup>ch</sup> I fasten'd. Gov<sup>r</sup> *Bulls* Letter contained no news of the Troops any more than that their March had been obstructed by heavy rains. The Day was *May 25<sup>th</sup>* at w<sup>ch</sup> Time or soon after he supposed they should be near Fort *prince George*, but his own Letters to you may possibly have given you a more full Acc<sup>t</sup> of Col. *Grants* March and Operations.

I have no further orders to give, as you are fully Master of the Design of your Campaign the Conduct of w<sup>ch</sup> I leave to your self and shall only add that I am w<sup>th</sup> great Regard Sir Y<sup>r</sup> most Obed<sup>t</sup> hum: Serv<sup>t</sup>  
FRAN. FAUQUIER.  
To the Hon<sup>ble</sup> Col. *Byrd*.

DRAPER MSS. 4 ZZ 33.

[A. L. S.]

*Albany, 2<sup>d</sup> July 1761*

Sir,

On the 25<sup>th</sup> *June*, I had the favor of Your Letter of the 7<sup>th</sup> of the same Month, Enclosing a Return of the Strength of the *Virginia* Regiment.

You might have been Assured that the Expedition Intended to be Carried on under Your Command, would not be Laid aside, without my Acquainting You; And soon after the date of Your Letter, You must have received Several of Mine, by which You will have been fully Informed of my Sentiments, in regard to Your pushing forwards, with the Strength You had, as I judged them full Sufficient for Answering the desired End of Annoying the Enemy on that Quarter, whilst they were Attacked by a Superior Force on the other Side the Mountains.

I Make no doubt but the Orders given by General *Monckton*, for Supplying You with provisions, & Every other Necessary furnished by the King, will have been punctually Obeyed; And that You will have, long e're now, been relieved from the Inconveniencies arising from the Want of these necessary Articles.

The Expenses You have been at, in purchasing provisions for the Troops, must certainly be made good by the Contractor's Agents.

I am, with great Truth, Sir, Your most Obedient Servant.

JEFF. AMHERST.

Colonel *Byrd*.

DRAPER MSS. 4 ZZ 56.

[A. L. draft by Colonel *Byrd*.]

Sr

I did myself the Honour to write to your Excellency the other Day by Gov. *Fauquier's* Express, & inform'd you the low State of the Reg<sup>t</sup>. Since which I have used my utmost Endeavours to compleat it, but as our Bounty Money is one half less than it ever has been, We have met with no Success. I have order'd all the men from *Winchester* & the *Pittsburgh* Communication to *Augusta*, where they must remain till Provision & Carriages are provided, & I have not as yet heard that the Contractors have given any Directions concerning them. Indeed Sir if the Colonys are to furnish no other Troops for that Expedition than our weak Reg<sup>t</sup>, that Expence may be saved, for I am too well acquainted with the Nature of that Service to hope for any Success from so small Numbers, & I flatter myself let the Consequence be what it will, no blame can lay at my Door. In Obedience to G. F's Instructions I shall proceed with 500 Men to the *Great Island*, as soon as the Victualers are ready for us, where I am to erect a Post & wait your Orders. The Lieut Col<sup>o</sup> will remain with the other 200 Men at Ft. *L<sup>r</sup>* till the Last of the Provision &

our

\* Fort Lewis stood near the site of the present town of Salem in Roanoke County.



our Few Recruits come up, which I fear will be very late in the Summer. Nither Col<sup>o</sup> *Grant* or *G. B.* has thought proper to hold any Correspondence with either *G. F.* or myself, so that we are intirely at a Lofs to know What they intend, or what they would have us do, even if we had a force Sufficient. I will not presume Sir to say any more to you on this Subject, but think myself extreamly unhappy that I am not enabled to answer your Expectations & have the Honour to be &c

DRAPER MSS. 4 ZZ 36.

[A. L. draft.]

Sir.

I am now to inform your Excellency that I arrived at this Place on the 13<sup>th</sup> of last Month, since which time I have been detain'd for want of Carriages & Horses, & find it impossible to get them in any reasonable time. This Delay proceeds from the Contractors neglecting to employ Agents in time to provide those things, for those Gentlemen did not agree with Doctor *Walker* at *Philadelphia* to supply our Troops with Provisions till the 14<sup>th</sup> of *June*, by which Means it was out of his Power to engage proper Carriage & Forrage for such Distance before it was render'd too late for me to execute your Orders in Cooperating with Colonel *Grant*, who wrote me from Fort *Prince George* he had completed his Work by the 10<sup>th</sup> of *July*, which I conceive was the principle Object of my Destination. Indeed I see no probability of Doctor *Walker's* being able to victual us farther than this Place, was it otherways possible for us to proceed to the *Cherokee* Country.

The Whole Regiment is present & the few Recruits have join'd, my whole Force is only — effective Men. Those I have employed since I came here in building a Block House & throwing up an Intrenchment round it for the Security of themselves & Provision.

We are still 200 Miles from the Nation & have the Road to open & make all the Way, which with the necessary Guards I am convinced your Excellency will think Impracticable for my small Force, if opposed by an Enemy. Governour *Fauquier* has order'd up only 60 of the Militia, who are certainly not sufficient to garrison the necessary Posts for 330 Miles beyond the Inhabitants, & cover our Retreat in case of an Accident.

The Enemy's retiring from Col<sup>o</sup> *Grant's* Numbers makes the Task still more Difficult for my few Men, for they are all retreated into the upper Towns, where they have nothing to fear from him, from whence I have certain Intelligence, large Bodys are detatch'd to hunt between *Broad River* & the *Holstien*, to watch our Motions.

If Col<sup>o</sup> *Grant* with his formidable Power could only burn fifteen Towns & over run the Country below the Mountains, not more than sixty Miles from his advanced Post, I do not imagine it can be expected that I can with my Pityfull Number, proceed thro' a Wilderness, 200 Miles from my outermost Post to attack 32 Towns in the remotest Part of the Nation, defended by their united Force. Col<sup>o</sup> *Grant* had the whole Winter before him to provide every thing for his well appointed Army, & I was not even thought worthy of the Contractor's Notice in *Philadelphia* till the middle of *June*, & had double his Distance to march. How we were to cooperate together, under those Circumstances, God only knows.

The *Little Carpenter* with 43 *Indians* from all parts of the Nation came in last Month to solicit me for a Peace, but as my Hands were tied up I could only recommend them to Col<sup>o</sup> *Grant* & Gov<sup>r</sup> *Bull*, & used every Argument & Threat to hasten them to it. I certainly must appear in a very despicable Light to them, as I really do to myself, for I am neither enabled to chastise them, nor empowered to make a Peace.

For my Part I know it to be impossible for me to do any thing more, as well thro' the Deficiency of Numbers, now Col<sup>o</sup> *Grant* has retreated to *F. P. G.* as the Want of Carriages, therefore Sir as it never was my Intention to lay upon the Frontier without a Prospect of doing Service to my Country & Credit to myself, I humbly hope you will not take it amiss that I resign the trifling Command to the Lieu<sup>t</sup> Col<sup>o</sup> of the Reg<sup>t</sup>, after the

Works

Works are finish'd, when I propose to do myself the Honour to wait on your Excellency & am assur'd I can remove any Doubts you or the World may entertain relative to my Conduct.

Copy of my Letter to the General Aug. 1, 1761.

DRAPER MSS. 4 ZZ 37.

[L. S.]

Albany, 20<sup>th</sup> August 1761

Sir,

You will have Seen by my two former Letters, that, altho' Lt Colonel *Grant* had Chastised the *Cherokees*, Yet I had Sent him Directions not to Remove the Troops, out of *Carolina*, Untill a Peace was Settled, & Concluded with those Savages by Lieut. Governor *Bull*; and that to bring about this Salutary Work so much the sooner I likewise Desired You to pursue Your Instructions, in the same manner as if nothing favorable had happened in our behalf in those parts. Wherefore 'till those Ends are fully answered, the principal Object of Your Destination is not Effected: but I make no doubt that ere this Reaches You, Lieut. Governor *Fauquier*, agreeable to Mine of the 17<sup>th</sup> Instant, will have been Enabled to Recall You with the *Virginia* Regiment, into the province, if not, I must Repeat my Desire, that You will, to the utmost Exert Yourself in the Annoying the *Cherokees* in their Upper Country; and that You will not think of declining the Command of the *Virginia* Regiment, before the Service to which they are Destined is Completed.

I am, Sir, Your most Obedient Servant

JEFF: AMHERST.

Colonel *Byrd* Commanding the *Virginia* Forces.

### BANCROFT TRANSCRIPTS.

LT. COL. STEPHEN TO LT. GOVR. FAUQUIER.

Camp at *Pittsburgh* Oct 29, 1759.

Sir,

I rec'd the honor of your letter, and would have been under the greatest obligation for your sentiments on the *Indian* Trade. There are proper regulations wanting to make it useful and profitable for us, and a manner is wanting to make it agreeable and easy to the *Indians*. The *Pensylvanians* engross it at present and are pushing all possible measures to keep it in their hands. About twenty Tuns of Skin and Furr have been bought at this place within these three months; the *Pensylvanians* say the Post is within their limits, and accordingly have made an Act of Assembly for enhancing the Trade. This does not affect *Virginia* whilst the General Commands, but were one of the *Pensylvania* Officers to Command, they would be obliged to act according to their orders from that Province. The determination is of importance to us who first engaged in *Virginia* service; as we are intitled to a considerable quantity of Land by virtue of Gov<sup>r</sup> *Dinwiddie's* proclamation approved of by His Maj<sup>ty</sup>, and I would be glad to know the sense of your honor and Council on that Head.

Two Officers are just returned from *Presqu'isle* with an account of the Country, communication & the situation of the *French* Posts.

It is about seventy miles to *Venango*<sup>3</sup>, it has been a small stockade, about 400 yards below the mouth of *French* Creek, which is there about 100 yards over. There are about

50

<sup>1</sup> General John Stanwix, in command of the Southern District of North America.

<sup>2</sup> A fort built on the present site of Erie, Pennsylvania. In 1753 Duquesne, the governor of Canada, sent a force to occupy the Ohio Valley, and, as a base for the movement, built a log fort at Presqu'isle.

<sup>3</sup> A fort built at what is now Franklin, Pennsylvania. It stood near the confluence of French Creek and the Alleghany River. In 1753 Joncaire was the commandant at Venango, and he it was who informed Washington over their wine of the aggressive intentions of the French government.



50 houses 12 feet by 16 standing, the vestiges of as many burnt; a fine Mill stands in good order.

From that about 46 miles to *Le Boeuf*<sup>1</sup>, very bad ground, a barren Country for 30 miles—about nine miles a mere swamp. The situation of the Post very pleasant and commodious.

From *le Boeuf* to *Presqu'isle* about 18 miles, the road well made; it is one continued Bridge through a swamp the whole way; the situation of *Presqu'isle* was upon the bank of Lake *Erie*, poor soil and piney land about. That Post and *le Boeuf* was a stocade with four Bastions, built only for the communication.

I have the honor to be.

Sir

Your most obedient humble servant.

A. S.

LIEUT. GOVR. FAUQUIER TO THE LORDS COMM: OF TRADE.

W<sup>m</sup>sburgh December 1, 1759.

My Lords,

I inclose your Lord<sup>sh</sup>s a copy of a letter I have just received from L<sup>t</sup> Col. *Stephen*: which, as it contains some minute particulars of points of consequence, I have choose to communicate to your Right Hon<sup>ble</sup> Board in the words of the Writer. By it you may observe My Lords, that the affair of the *Indian Furr Trade*, if not prevented, may again prove a bone of contention between this Colony and *Pennsylvania*. The surest way to stop any ill consequences that may arise from such a contention, appears to me to be to settle the determination of the Boundary-line of *Pennsylvania* which is to run 5 degrees due West from *Newcastle*. We say from Mess<sup>rs</sup> *Fry* and *Jefferson's* authority that this distance terminates 15 or 20 miles short of *Pittsburgh*. The *Pennsylvanians* act, as if it did not; upon what authority they proceed I am as yet entirely ignorant.

I hope Your Lord<sup>sh</sup>s will be of opinion that this should be settled by Commissioners either appointed by your Right Hon<sup>ble</sup> Board immediately or mediately by Instruction sent to the Governors of the respective provinces to appoint such Commissioners. The first method seems least liable to create disputes, as the Lands between the mountains and the *Ohio* are now cleared of the Enemy, people seems to be very desirous to settle on the fine fertile lands, lying on the waters which fall into the *Ohio*, and so into the *Mississippi*, and are generally called by the general name of Lands on the waters of the *Mississippi*; but to the well future settling of these lands, there are some points w<sup>ch</sup> seem to require consideration. By proclamation from M<sup>r</sup> *Dinwiddie*, all officers and private Men, who have served in those parts have a Right to a certain proportion of those lands, to which they are daily laying claim. It is also to be considered, whether the Crown will renew the two great Grants. If they should be renewed, whether the Grantees should be at liberty to take up lands within their Grants, in as small parcels as they please; by which means they have it in their power to skim all the fine Lands on the Waters and have

<sup>1</sup> *Le Boeuf* was a fort built on the present site of Waterford, Pennsylvania. The fort stood on French Creek not many miles from Lake Erie. Washington stayed three days at this post while on his mission in 1753 to warn the French from the Ohio country. From *Le Boeuf*, Saint-Pierre, the French Commandant, sent word to Governor *Dinwiddie* of his intention to hold his post.

<sup>2</sup> The boundary controversy between Virginia and Pennsylvania began with *Dinwiddie's* attempt to have a line run between the colonies in 1753. Governor *Hamilton* of Pennsylvania was instructed by the proprietors to assist *Dinwiddie* in running the line, but to require an acknowledgment that his proposed settlements in the West should not alienate the rights of Pennsylvania. In 1754 *Dinwiddie* commenced to build a fort on the site of *Pittsburg* and issued a proclamation, promising to reserve 200,000 acres of land for the benefit of soldiers fighting against the French. *Hamilton* objected, and *Dinwiddie* agreed that the quit-rents might be collected by Pennsylvania until the boundary dispute was settled, and applied to England to have the boundary line run. After much discussion the controversy was settled in 1779 by a commission which met at Baltimore. The line agreed upon was the extension of *Mason and Dixon's* line "due west 5 degrees of longitude completed from the river Delaware for the Southern boundary of Pennsylvania, and that a meridian drawn from the Western boundary thereof to the Northern limit of said State, be the Western boundary of said State forever." Olden Time, I, pp. 433-524.

have the uplands unpatented, whether they should not be obliged not to exceed a certain price for a certain term of years, to their under patentees.

Your Lord<sup>ships</sup> may be fully convinced that I think these things of consequence, and that I speak my sentiments with sincerity, when I inform you that my son is taken partner into one of the great grants. But I hope that or any other consideration in which my interest shall be concerned, will never make me prostitute my opinion to your Right Hon<sup>ble</sup> Board, whenever I think His Majesty's and my Country's interest at stake.

It seems to be the general opinion of all the speculative gentlemen here, that it will be more adviseable to make a separate Govern<sup>t</sup> of all the Lands between the mountains and the Waters; the reasons they assign are these, which are specious enough. It will require a Constitution of a more military form than this Colony, I believe, can ever be prevailed upon to enter into, in order to protect these out settlers from Insults and incursions of the *Indians*. The Militia Laws now in force in this Colony would be ineffectual to secure them, and from a jealousy of the liberty of the subject, I apprehend the General Assembly would never be brought to put them under such restraints as are necessary to make a militia serviceable. I attempted an amendment of those Laws on my first arrival, without success. The establishment of the Clergy in this Colony is thought to be of such a nature, as to be an obstacle to the coming in of protestant foreigners, from whom we are to hope the greatest accession of people, who must have a Minister of their own to maintain, besides paying their quota to a public Levy for the support of a parochial Minister of the established church.

I thought it my duty, My Lords, to throw out these hints for your Lord<sup>ships</sup> consideration, to do therein as you shall judge most expedient, whenever it may please his Maj<sup>ty</sup> in his most honorable privy Council, to take the matters relative to the patenting and settling these lands into consideration.

The Assembly broke upon the 21<sup>st</sup> Nov<sup>r</sup> after having passed an Act to keep up the Regiment till the first of May next, and to disband the 500 Men before that time; viz<sup>t</sup> 200 immediately and 300 on the first of February; & an Act to prevent Frauds on Negro duties. I shall transmit those Acts and some few of a private nature by the first opportunity I can find. I have wrote to Brig<sup>d</sup> Gen<sup>l</sup> Stanwix to inform him of these transactions, and to desire he will be particular in the service for which he will require the Men to be kept longer in pay if necessary; otherwise I fear, the Colony will be for dropping them at the time prescribed.

I shall write more particularly on the aforeaid Acts when I send them to your Lord<sup>ships</sup> with the other public papers of Govern<sup>t</sup>. I am My Lords, with the greatest respect your Lord<sup>ships</sup> most obedient & devoted servant.

FRAN: FAUQUIER.

LT. GOV. FAUQUIER TO MR. PITT.<sup>2</sup>

W<sup>m</sup>sburgh March 14, 1760.

Sir

In obedience to His Majesty's commands notified to me in the letter I had the honour to receive from you, the very night before the General Assembly met, I recommended the measures directed in it and laid your letter before the Assembly and I have the pleasure to acquaint you that the Assembly agreed to keep up the Regiment now on foot. Of this I have apprized Major Generals *Amherst* and *Stanwix*.

I have

<sup>1</sup> John Stanwix was colonel of the 1st battalion of the 60th regiment, the famous Royal Americans. He was assigned command of the Southern District of North America, with headquarters at Carlisle, Pennsylvania, in 1757. He became brigadier-general in 1757. In 1758 he was relieved by Forbes; he went to New York, where he built Fort Stanwix. In 1759 he came back to command the Southern District, with headquarters at Pittsburg. He resigned the command in 1760.

<sup>2</sup> The first paragraph of this letter is given in "Correspondence of William Pitt with Colonial Governors," Vol. II, p. 265.



I have also ordered the Patent under the Seal of this Colony to be made out, appointing Mr *David Bowman* to be Naval Officer of the District of the Eastern Shore, as ordered by His Majesty's Sign Manual bearing date the 26<sup>th</sup> day of Nov<sup>r</sup> 1759.

I am with the greatest respect

Sir

Your most obed<sup>t</sup> and  
devoted humble Serv<sup>t</sup>.

FRAN: FAUQUIER

LIEUT. GOV. FAUQUIER TO GOV. HAMILTON.<sup>1</sup>

[Enclosed in a letter to the Board of Trade.]

W<sup>m</sup>s<sup>b</sup>urgh May 7<sup>th</sup> 1760.

Sir,

My Predecessor Mr *Dinwiddie*, by authority of His Maj<sup>ty</sup> notified by one of his principal Secretary's of State; issued a proclamation to encourage persons to engage in the services then proposed to be carried on against Fort *du Quesne*, and other *French* Settlements on the Waters of the *Ohio*. In this Proclamation he promised a grant of 200,000 acres of land on the east side of that River, to be apportioned to the Officers and private Men who should voluntarily enter into that service, 100,000 of which were to be contiguous to *Pittsburgh* or Fort *du Quesne*, the other 100,000 on some other part of that River.

In consequence of this promise by authority, The Officers and Men who served on the *Ohio* have laid in their claims to me in Council, to have these lands immediately granted to them, which they say they have merited at the hazard of their health and lives.

But some difficulties arising, from the bounds of your Colony not being settled, and from the Treaties which it is said Gen<sup>l</sup> *Forbes* made and Gen<sup>l</sup> *Stanwix* has since confirmed with the *Indians* inhabiting that Country (but which I have not yet seen), this Colony has done nothing in that affair.

I have also to inform you that about three months since I wrote to the Right Hon<sup>ble</sup> the Board of Trade and Plantations in which letter I informed them of these Claims; and of the difficulties which attended our granting these Lands; desiring at the same time that Commissioners might be appointed by the Crown to settle the extent of your line, which is to run 5 degr: due West from *Delaware* Bay in the latitude of 40 North, and that the proprietors of *Pennsylvania* or *Maryland* might be restrained from making any grants of Lands, which from our scrupulous observance of Treaties etc., we did not think proper to make ourselves, till His Maj<sup>ty</sup>'s pleasure was known therein, on which head I desired I might have instructions as soon as conveniently could be.

By advice of His Maj<sup>ty</sup>'s Council, on these Considerations, I have postponed the making of any grants of lands in question, till I receive directions from Home, relative thereto. And that a perfect harmony and unanimity may at all times subsist between the Sister Colonies of the same common Mother on which the safety and security of all depend, I have to request you, that you on your parts, would, as we have on ours, postpone the granting those lands till such instructions arrive which shall be immediately made known to you. And if you shall already have made any such grants, I beg the favour of you to inform me thereof, as to the quantity, the situation and the names of the Grantees.

I am with the greatest regard

Sir

Your very humble servant.

FRAN: FAUQUIER.

<sup>1</sup> James Hamilton became governor of Pennsylvania in 1759, succeeding Denny, and held the office until 1763.

LIEUT. GOV. FAUQUIER TO THE LORDS OF TRADE ETC.

*W<sup>m</sup>sburgh May 12<sup>th</sup> 1760.*

My Lords,

I enclose in this Box to your Right Hon<sup>ble</sup> Board, the Acts of the last Session of Assembly which broke up the 11<sup>th</sup> of *March*, the Journals of the Council and Burgeffes, the minutes of the Council since the Departure of the late Lieut<sup>t</sup> Gov<sup>r</sup>, the Accounts of the Receiver General, and of the Naval Officers, with the Duplicates of the Acts and Journals of the former Session. I hope your Lord<sup>pp</sup>s will not accuse me of remissness in the discharge of my duty, for I cannot get the Acts and Journals sooner out of the respective Offices.

The *Cherokees* having immediately broke the peace made with them by Gov<sup>r</sup> *Lytleton* before his departure, and having taken up arms throughout all their Towns, Mr *Bull* has applyed to this Colony for assistance, particularly for succour for the Garrison of Fort *Loudoun*, in the Upper *Cherokee* Country. As I was not in a capacity to send them any relief by the powers vested in me by the General Assembly, I have by, and with the advice of His Majesty's Council call'd the Assembly to meet again on *Monday* the 19<sup>th</sup> inst: the result of which I will give your Lord<sup>pp</sup>s the earliest Information of.

The affair of granting the Lands on the *Ohio* grows every day of more importance; for which reason, I crave your Lord<sup>pp</sup>s excuse for again mentioning that affair, and for begging leave to refer your Lord<sup>pp</sup>s to my letters of the 1<sup>st</sup> *December* and 13<sup>th</sup> *March* on this subject. I have wrote fully to Gov<sup>r</sup> *Hamilton* upon these matters, a copy of which letter I inclose to your Lordships.

I am with the highest regard and respect

My Lords,

Your Lord<sup>pp</sup>s most obedient,  
obliged humble servant

FRAN: FAUQUIER.

LT. GOV. FAUQUIER TO THE LORDS OF TRADE ETC.

*W<sup>m</sup>sburgh June 2<sup>d</sup> 1760.*

My Lords,

The Assembly which I had summoned to meet on the 19<sup>th</sup> ult<sup>o</sup> of which I gave your Lord<sup>pp</sup>s advice in my letter to your R<sup>t</sup> Hon<sup>ble</sup> Board of the 13<sup>th</sup> last six days, and provided for the raising and paying 700 Men till the 1<sup>st</sup> of *December* to be joined to the 300 already stationed on the south west Frontiers, to attempt the Relief of Fort *Loudoun*, or to be otherwise employed as Lieut<sup>t</sup> Gov<sup>r</sup> *Bull* shall advise. These Men are now raising, and as I hear the Recruits enter very fast. This Act, with two other acts of course, I shall transmit to your Lord<sup>pp</sup>s as soon as engrossed.

At the end of the supply Bill the House of Burgeffes added a Clause to encrease the duty arising by the importation of slaves, by reducing it to ten per cent instead of twenty, which was the method I most approved in the late Act relative thereto of which I wrote your Lord<sup>pp</sup>s a full account in my letter of the 17<sup>th</sup> of *Decemb<sup>r</sup>* sent by the *Deliverance*, Capt. *Whyte*, who I hope, is safely arrived, tho' we have not heard of her. She carried the Box of public papers and Acts.

The incertitude of the proceedings of the General Assembly of this Colony, has struck me on many occasions and seems to be so inherent in the nature of the Members, as to be characteristic of the People. This Act was passed this Session in the lower House, but by a single voice, on account of this Clause; and it is apprehended will occasion a Battle in the next Session whenever the assembly meets again; for the contest on this occasion is between the old Settlers who have bred great quantity of Slaves, and would make a Monopoly of them by a duty which they hoped would amount to a prohibition; and the rising Generation who want Slaves, and don't care to pay the Monopolists for them at the price they have lately bore, which was exceedingly high. These reasons



reasons your Lord<sup>ships</sup> may guess are not urged in the arguments on either side; but, I believe are the true foundation of the Squabble.

But setting this Act aside, the uncertainty of all public measures, is in nothing more apparent, than in their immediately disbanding Men, who by seeing some service are become useful, upon the least relaxation from their fears of an Enemy; and as immediately raising fresh raw Men at a great Bounty, as soon as their passions are again alarmed. Whoever charges them with acting upon a premeditated concerted plan, don't know them; for they mean honestly, but are Expedient-Mongers in the highest degree, even to their own cost daily. I am confident the Assembly could have kept two Regiments in constant pay since my arrival in the Colony at a much less expence than the methods they have pursued have occasioned.

I am My Lords with the greatest respect

Your Lord<sup>ships</sup>

most obedient and devoted servant.

FRAN: FAUQUIER.

L.T. GOV. FAUQUIER TO THE LORDS COMMISS'RS OF TRADE ETTC.

W<sup>m</sup>s<sup>burg</sup> June 30<sup>th</sup> 1760.

My Lords,

By the Fleet which arrived here the 20<sup>th</sup> instant I had the honor to receive an order from his Majesty in Council to repeal four Acts of Assembly. The Repeal of which I shall proclaim in the next Gazette. His Maj<sup>'ty</sup>'s Royal Instruction to me to enforce former Instructions relative to the passing Laws was delivered to me at the same time, to which I shall pay all due obedience on all occasions.

The manner in which this order and Instruction were delivered to me, appeared to me so unusual and extraordinary, that I hope your Lord<sup>ships</sup> will excuse my relating the circumstances to your R<sup>t</sup> Hon<sup>ble</sup> Board.

The copies of these papers have been in the Colony above these six months, they were sent to Mr Camm's<sup>1</sup> Friends, and have been communicated to many. I then thought that the sending copies of His Maj<sup>'ty</sup>'s Royal orders and Instructions, before they were made known to his Gov<sup>r</sup> to whom they are directed, was a step unprecedented, of pernicious consequence, and, a high insult on Majesty. On the 20<sup>th</sup> instant Mr Camm landed in this Colony and immediately went down to Hampton to meet and consult with his particular friends. On the 27<sup>th</sup> he came to me accompanied by two of them, and delivered to me His Maj<sup>'ty</sup>'s Royal order in Council and Instruction, both open, dirty, and worn out at the edges and Folds; seeing they were of an old date, I asked him where they had been till this time; he answered, in his custody. I asked him if they were delivered to him open and without cover, his answer was, they were.

The Order in Council carried all the marks of its not being the original order designed to be sent to me, but a copy obtained by Mr Paris Solicitor to the Convention of the Clergy, it being so indorced on the back. But as it came accompanied with His Maj<sup>'ty</sup>'s Instruction, which had all the appearance of being the original Instruction under His Maj<sup>'ty</sup>'s Sign manual; for fear of being negligent in my duty and obedience to His Maj<sup>'ty</sup>'s pleasure, I have acted upon it, in the same manner as if I was fully convinced it was authentic.

This

<sup>1</sup> The Virginia Gazette published at Williamsburg. At this time it was the only newspaper in Virginia. It was begun in 1737.

<sup>2</sup> John Camm, born in 1718, died 1779, was minister of Newport Parish, Isle of Wight County, in 1745. He became professor of divinity in William and Mary College in 1749 and was also rector of York-Hampton Parish. He represented the convention of the clergy in England in opposition to the Two-penny Act, which was nullified by the British government. He became president of William and Mary in 1771 and commissary in 1775.

In 1760 Camm was in England fighting the Two-penny Act. He returned to Virginia in June, 1760, and delivered to the governor instructions which he had brought from England. Fauquier flew into a passion and abused Camm in rather violent terms, instructing his footmen not to let him enter the house again. (See Perry's Historical Collections of the American Colonial Church, Virginia, p. 463).

This is so unlike the manner in which I received the Orders and instructions with which I have already been honoured, which have come directly from your R<sup>t</sup> Hon<sup>ble</sup> Board or from one of His Maj<sup>'ty</sup>'s principal Secretaries of State, that I am at a loss what to think about it. As I have received no letter or advice from your Lord<sup>ps</sup> on this head, tho' it is long since your Lord<sup>ps</sup> had the Act, and my reasons for giving my assent to it; I cannot entertain the least thought that your Lord<sup>ps</sup> meant to cast a slur upon me, and lessen me in the eyes of the Gentlemen in the Colony, as it must of course do, if it is so understood. There is an universal surprise at this proceeding of Mr *Camm*, which he and his Friends publish with triumph. Besides, as Mr *Camm* has on all occasions studiously affected to treat me with great indignity, I must imagine that this was an Act merely his own, to keep up the same spirit.

This transaction makes the greater impression on the Gentlemen of the Colony, because, when Mr Attorney *Randolph* went to *England* about the pistole affair, he asked whether he might carry His Maj<sup>'ty</sup>'s Instructions to Mr *Dinwiddie*, and was answered, that the Board would send His Maj<sup>'ty</sup>'s Instructions to His Maj<sup>'ty</sup>'s Governor. A copy of them was refused him, but the Instructions were read over to him. And no copy was in the Colony when I came into it.

As it is my duty to support the dignity of His Majesty's Crown and authority, I thought it incumbent on me to be circumstantial in the relation of this affair, that if your Lord<sup>ps</sup> should think Mr *Camm*'s proceedings derogatory to the Honor of his Maj<sup>'ty</sup> and his Lieut<sup>t</sup> Gov<sup>r</sup> I may receive your directions, how I shall conduct myself in this affair.

The Men are raised for the assistance of *Carolina* against the *Cherokee Indians*, and I hope will be ready to march as soon as I hear from L<sup>t</sup> Gov<sup>r</sup> *Bull* and Col: *Montgomery*, in what manner we can most effectually serve them; to whom I have wrote to this purpose.

I inclose to your Lord<sup>ps</sup> a copy of a letter sent by Capt<sup>n</sup> *Peterfham* the 9<sup>th</sup> inst: and am with the greatest respect My Lords

Your Lord<sup>ps</sup> most obedient obliged  
and devoted servant.

FRAN: FAUQUIER.

LT. GOVR. FAUQUIER TO THE BOARD OF TRADE.

W<sup>m</sup>sburgh July 11<sup>th</sup> 1760.

My Lords,

Under Cover with this, I inclose to your Lord<sup>ps</sup> a Triplicate of a letter I wrote to your R<sup>t</sup> Hon<sup>ble</sup> Board on the 1<sup>st</sup> of *December* last, with a Copy of a letter from L<sup>t</sup> Col: *Stephen* to me, referred to in it. My reason for sending this is, my apprehension, that the Duplicates were both lost; one being sent in my Box of public papers to the R<sup>t</sup> Hon<sup>ble</sup> Board, by the *Deliverance* Capt<sup>n</sup> *White*, who, we know was lost on the coast of *France*. The other I sent by post to *New York*, and fear it went by the *General Wall* packet, which was taken and ranfom'd, but all the papers thrown overboard.

I am with the greatest respect, My Lords,

Your Lord<sup>ps</sup> most obedient,  
and devoted servant

FRAN: FAUQUIER.

#### ARTICLES OF CAPITULATION.

On the 7<sup>th</sup> *August* Captain *John Stuart* set out to *Chotee*, accompanied by L<sup>t</sup> *Jas. Adamson* and some *Indians* where the following terms were stipulated.

#### Articles

<sup>1</sup> Peyton Randolph, Attorney-General of Virginia, Speaker of the House of Burgesses, and first President of the Continental Congress. Governor Dinwiddie, who became governor in 1751, discovered that the regulations governing the patenting of lands were little regarded and that the royal revenue from the quit-rents was thereby defrauded. He endeavored to correct the abuse by charging the fee of a pistole on every patent. The House of Burgesses protested against the tax and sent Peyton Randolph to England to petition the king for its remission. The Board of Trade, however, virtually decided in favor of Dinwiddie.

<sup>2</sup> John Stuart was an officer at Fort Loudoun when it fell in 1760. He was very popular with the Cherokees friendly to the English. After Demeré's death, Stuart with the other prisoners remained at Fort Loudoun in great jeopardy. Atta-culla-culla, or the Little Carpenter, escaped with him to Colonel Byrd's camp, and Stuart gave warning of the intended attack upon Fort Prince George.



Articles of Capitulation agreed upon, & affented to by Capt<sup>n</sup> *Paul Demere* Commanding His Maj<sup>'ty</sup>'s Forces at Fort *Loudoun*, and the head Men and Warriors of the Over Hill *Cherokee Towns*.

1<sup>st</sup> That the Garrison of Fort *Loudoun*, march out with their arms and Drums, each Soldier having as much powder and Ball as their Officers shall think necessary for the march, and what Baggage he may choose to carry.

2<sup>d</sup> That the Garrison be permitted to March for *Virginia*, or Fort *Prince George*, as the Commanding Officer shall think proper unmolested, and that a number of *Indians* be appointed to escort them, and to hunt for provisions on the march.

3<sup>rd</sup> That such Soldiers as are lame, or by sickness disabled from Marching, be received into the *Indian Towns*, and kindly used until they recover, and then to be returned to Fort *Prince George*.

4<sup>th</sup> That the *Indians* do provide the Garrison with as many Horses as they can conveniently for their march, agreeing with the Soldiers or Officers for payment.

5<sup>th</sup> That the Fort, Great Guns, Powder, Ball, and spare arms be delivered to the *Indians*, without any fraud on the day appointed for the March of the Troops.

CUNNI CATOGUE

signed

his mark

PAUL DEMERE

OUCANNASTOTE

his mark.

LT. GOVR. FAUQUIER TO THE LORDS COMMISS'RS FOR TRADE ETC.

*W<sup>m</sup>sburgh Sept<sup>r</sup> 1, 1760.*

My Lords,

I take the opportunity of a *Bristoll*, which is just ready to sail, to acknowledge the receipt of your Favour of the 13<sup>th</sup> *June* which I received on the 30<sup>th</sup> ult<sup>o</sup> together with the copy of the Representation of your R<sup>t</sup> Hon<sup>ble</sup> Board to His Maj<sup>'ty</sup> in relation to three acts of Assembly passed by me in the year 1758 and 1759; His Majesty's orders in Council, and Repeal of the said Acts in consequence thereof; and the Report of Sir *Matthew Lamb*, concerning the Agents Act.

Give me leave My Lords to make an acknowledgement of the obligations I have to your Lord<sup>sh</sup>s for the tenderness you shew me in not aggravating the deep concern I feel myself under, for having inadvertently fallen into so many errors as I find I have done, in respect to the giving my assent to Acts which have passed the other two branches of the Legislature. But I hope, My Lords, to set my actions in such a point of view, as to take off, in great measure at least, the unfavourable opinion your Lord<sup>sh</sup>s entertain of them at present.

As to the three particular acts in question, upon the receipt of His Maj<sup>'ty</sup>'s Repeal thereof, I enquired of Mr *Waller* the Clerk of the General Court, an old and leading member in the House of Burgesses; who is frequently employed in drawing the acts, and actually drew one of these three, what was the reason that the saving and suspending clauses were left out in these three Acts; whereas I must own, that in examining into all the private Acts passed since the Revival of the Laws in 1748, I could not find one single instance of their being omitted. His answer was, that in these Acts, as in all others, he had followed the established practice and Custom of their house, which was this: That in all Acts to dock entails, and in case of Infants, where the parties in possession cannot alienate the premises without an act for that purpose; the saving and suspending clauses are never omitted; but that, where the parties in possession had an undoubted right in themselves to alienate and convey the Lands upon a proper application to a Court of Judicature (which was the case in all these Acts) and only applied for an Act of Assembly to expedite the sale & make it clear and indisputable hereafter; they were never inserted. But My Lords, to confess a plain truth, which shall always be the measure

<sup>1</sup> Benjamin Waller (1716-1786) was a burgess from James City from 1745 to 1758, a clerk of the Council, a member of the Conventions of 1775 and 1776, and a judge of the General Court from 1779 to 1786.

measure of my conduct to your Right Hon<sup>ble</sup> Board, I fairly own, that upon a presumption that all such acts were prepared according to Form, in the Lower House, and the Rights of His Maj<sup>ty</sup> was properly taken care of when the Bills came before the Council, I gave my assent to them without ever examining them, or paying any attention to them. But as I have incurred His Maj<sup>ty</sup>'s displeasure by so doing, your Lord<sup>ships</sup> may be assured I will be more circumspect for the future.

The Box of public papers and Acts, among which was the Negro Act<sup>1</sup>, was ship'd on board the *Deliverance* Capt<sup>n</sup> White who was lost on the Coast of France, the Duplicate of these acts went by the *Jacob* and *Johanna* Capt<sup>n</sup> Clarkson, who failed the latter end of May, who I hope is safely arrived, and that your Lord<sup>ships</sup> are in possession of the Acts of that session.

I am truly sensible that a Governor or Commander in Chief is not to ask the advice of the Council assigned him by His Maj<sup>ty</sup>, whether he shall obey the Instructions of His Maj<sup>ty</sup>; but in regard to this Act, it was attended with some particular circumstances, which induced me to take that step, from which I thought I ought not afterwards to recede. The Act did not lay any new duty; if it had, I should most certainly have refused it without taking advice upon it: but it only provided against a Fraud daily practiced to avoid a duty, originally laid and by other subsequent Acts continued long before I arrived in the Colony. But the Act, in express terms (which could not be avoided, to give it its intended force and effect) contradicted the Instruction; in this situation and under these circumstances I applied to the Council for their advice what I should do? who, all but one, were unanimous that the sense and spirit was by no means broke in upon, as no new duty was imposed by the Act; as your Lord<sup>ships</sup> will find by their reasons inserted in the minutes of the Council and by a Duplicate I sent as soon as I heard of the loss of the *Deliverance*. I have been unfortunate, for duplicates of all these papers, were sent by the *New York Packet* which was taken by the *French & Ranfomed*; but the papers were all thrown overboard and lost; however there is now an end of this affair, as in the next Session, this Act was repealed and the duty lowered from twenty to ten per cent, to answer the same purpose as was intended by the former Act; viz<sup>t</sup> to encrease the money coming into the Treasury from the said duty.

In relation to the Agent's Act, I am fully convinced that it was not the design of any part of the Legislature, to give the Committee of Correspondence any powers for which they should not be accountable to the General Assembly, so that the alteration desired by Your Lord<sup>ships</sup> will not as I apprehend meet with the least difficulty; whether the word General was left out by mistake, or whether the common acceptation of the words, Assembly and General Assembly having the same import here, occasioned this, I know not, but Your Lord<sup>ships</sup> may depend on my rectifying this in the next session. I hope your Lord<sup>ships</sup> will indulge me in the explanation of the step leading to this Agent's Act. When my predecessor the Hon<sup>ble</sup> Mr *Dinwiddie* had a dispute in this Colony abt the Pistole Fee, the Burgesses lamented their not having an Agent at Home, to represent affairs of this nature to His Maj<sup>ty</sup> and Your R<sup>t</sup> Hon<sup>ble</sup> Board, supposing naturally enough that Mr *Abercrombie*<sup>2</sup> who was paid by the Gov<sup>t</sup> and Council out of the 2<sup>d</sup>h. duty, would not solicit that or any other affair against the Gov<sup>t</sup>; so they sent home an Agent<sup>3</sup> on purpose at a great expence. From that time they have been very intent on an Agent's Act, which in Mr *Dinwiddie*'s time they could never obtain; so intent were they on this affair, that they attempted to tack it to the money Bill, in the second Session after my arrival, which I told them I would certainly refuse under such conditions. As I hoped never to make myself liable to any complaint, I could not see the ill consequence of letting them have an Agent, upon their raising money on themselves to pay him. Thus the Agent's Bill was prepared and passed. Notwithstanding this appointment of an agent

<sup>1</sup> Henning VII, 338-340.

<sup>2</sup> James Abercromby, agent in England of the governor and Council of Virginia. Abercromby was a lawyer, and served as judge advocate to General St. Clair in 1746. He was agent for North Carolina from 1748 to 1758 and also a private agent of Governor Glen of South Carolina.

<sup>3</sup> Peyton Randolph.



agent by Act of Affembly, Mr *Abercrombie* is ftill continued as Agent to me and the Council to tranfact all bufinefs relating to the Royal Revenues, and fuch other affairs as are immediately under our cognizance only. He has inftructions to co-operate with the other Agent in all matters for the behoof and benefit of the Colony.

As I have already mentioned to your Lord<sup>pp</sup>s my having lately fent duplicates or Triplicates of the letters loft, your Lord<sup>pp</sup>s will fee by my letter of the 1<sup>st</sup> of *December* that I am very far from being urgent in having the Lands on the *Ohio* fettled. I have been preffed thereto myfelf, but am fo far from preffing it, that I have incurred the difpleafure of the Officers who are claimants under the late Gov<sup>r</sup>'s proclamation, and have been charged with breach of his engagement by that Proclamation; for having obftructed their having furveys & patents for thofe lands, and for having wrote to Gov<sup>r</sup> *Hamilton* to defire he would defift from making any fuch grants till His Maj<sup>'ty</sup>'s pleafure therein fhould be known. This I did becaufe I found fome of our Officers defigned to apply to the proprietary's Office in *Pennfylvania* for grants of the faid lands, as they apprehended the grants would be made good, in whichever belong the Lands granted fhould be found to lie. The Lands the Officers (who were on the fpot and had time to examine) had fixed their eyes on were many of them in *Penfylvania*, and many on the weftern fide the *Ohio*; which made me apply for a copy of the agreements or Treaties made with the *Indians* by the late General *Forbes* & General *Stanwix*, but which I have never got fight of. I am extremely well pleafed that your Lord<sup>pp</sup>s sentiments on this head concur with and confirm mine, as I hope it will make the claimants more eafy under my Refufal to make them the grants they required.

I hope My Lords, I have now cleared myfelf to your Lord<sup>pp</sup>s fatiffaction, from the leaft fympton of inclination to difobey my Royal Mafter's Inftructions. If I at all know my own heart, there is not the leaft wifh of that fort working in it. Perhaps I have let circumftances weigh too much with me; if that is the cafe, I will be hereafter more cautious.

If your Lord<sup>pp</sup>s have ever favoured me with any letter on the fubject of the Act relating to the Clergy, I have never received it, nor any inftructions orders of Council, or other papers, excepting thofe delivered by the Rev<sup>d</sup> Mr *Camm* on the 27<sup>th</sup> *June*, in the extraordinary manner, which I notified to your Lord<sup>pp</sup>s in my letter of the 30<sup>th</sup> of that month.

I am with the greateft refpect and efteem

My Lords,

Your Lord<sup>pp</sup>s moft obedient, obliged  
and devoted fervant.

FRAN: FAUQUIER.

LIEUT. GOVR. FAUQUIER TO THE LORDS OF TRADE.

*W<sup>m</sup>sburgh Sept<sup>r</sup> 17<sup>th</sup> 1760.*

My Lords.

I yefterday recd. the difagreable news of the Garrifon of *Loudoun* Fort in the *Cherokee* Country being treacheroufly and barbaroufly murdered, or taken, in their march down to Fort *Prince George*, at *Keower* in the lower fettlements, agreeable to a Capitulation made by Captain *Demere* Commandant in the Fort, with the Head Warriors of the *Indians*; a copy of which I herewith inclofe to your Lord<sup>pp</sup>s, who in all probability will have rec'd an account thereof before this will reach your Lord<sup>pp</sup>s.

After the retreat of Colonel *Montgomery* from the lower *Cherokee* Country, who had 2000 Men under his Command, the majority of which were Regulars; it was not thought advifeable to let Col: *Byrd* with 1000 Men moftly New levies, march into the Enemy's Country with our Convoy of provifions which we had purchafed for the relief of the Garrifon; when there was no diverfion in the lower Towns, and the united force of the whole Nation was at Liberty, to oppofe our throwing in the fuccours intended. It was very fortunate and providential that we were fo late; for it would have been abfolutely impoffible

impossible for Mr *Byrd* to have been at the Fort by the time Capt<sup>a</sup> *Dumere* signed the Capitulation, and if he had been advanced far into the Enemy's Country, in all probability our whole Convoy had been lost and the provisions we designed for our Friends had fallen to the lot of our Enemies. Tho' I must at the same time own, that the many unforeseen delays in arming and providing for our Men, gave me great uneasiness when they happened. This must have happened, for as far as I can learn, no attempt was made to give Mr *Byrd* who was on his march the least intelligence of this step of the Commandant who has lost his life at the head of his Garrison on his march, tho' escorted by *Indians*. I suppose it was utterly impracticable to keep open a communication in those parts.

If this War grows serious, it will be impossible for the *Carolina's* to defend themselves without assistance from Mr *Amherst*, I dare say this Colony will do all in their power; their interest is at stake; but I am of opinion, the security and safety of part of His Majesty's Colonies, cannot be procured by Provincial Troops only.

I wrote to Your Lord<sup>ships</sup> on the 1<sup>st</sup> inst: (in answer to your favour of the 13<sup>th</sup> June) by the *Spotswood*, *Seton*, for *Bristol*, and am

with the greatest respect, My Lords

Your Lord<sup>ships</sup> most obedient

obliged and devoted servant

FRAN: FAUQUIER.

LIEUT. GOVR. FAUQUIER TO THE BOARD OF TRADE.

W<sup>m</sup>sburgh Dec<sup>r</sup> 6, 1760.

My Lords,

Under cover with this I sent to Your Lordships, Duplicates of my late letters, and a Triplicate of my letter of the 30<sup>th</sup> June, the original and Dupl<sup>te</sup> of which, I have heard are both lost; one in the *Resolution*, *Hogg*, the other in the *Russell*, *Crawford*, taken by the *French*.

There is a doubt arisen here, whether in the letter I had the honor to receive from Your Lord<sup>ships</sup> of the 13<sup>th</sup> June, Your Lord<sup>ships</sup> meant to include the Lands on *Green Bryar*, *New River*, or *Kanhawa River*, as lands not to be Patented. These Rivers have been tolerably seated for some time, but the settlers have abandoned their plantations on account of the late disturbances, but are now returning, and applications are making for New Patents. The lands I particularly wrote about, are two or three hundred miles to the Northwards of these lands; but as Your Lordship words are general, I have understood them in the most general sense, as including all lands on waters running into the *Ohio* and have refused to grant patents for these lands. If I have been mistaken in Your Lord<sup>ships</sup> sentiments I hope you will soon favour me with an explanation of them.

I was sometime since honoured with a letter from Mr Secretary *Pitt*, signifying His Maj<sup>ty's</sup> pleasure that I should inform his Council of any clandestine Trade carried on in this Colony, to the benefit of His Majesty's Enemies, and the detriment of his subjects, to which I have given a full answer. 1<sup>st</sup> that such trade has been chiefly carried on by means of Flags of Truce, of which I have not been prevailed on to grant one, tho' great temptations have been thrown in my way. 2<sup>dly</sup> That there is an open Trade carried on to *Monte Christo*, w<sup>ch</sup> I conceive to be wholly a *French* Trade, and 3<sup>dly</sup> that the Acts prohibiting the exportation of grain to neutral ports is evaded, by ships clearing out for *Scotland* or *Gibraltar*, and then pretending to be blown into the *Madeires* or some of the Western Isles by fits of weather; the Gov<sup>r</sup> lays his hands on the Cargo and obliges the Captains to dispose of it, at a great price.

The Assembly in a short session began in *October* have passed an Act to keep up 1000 Men this winter to be ready to assist the *Carolinas* against the *Cherokees* in the spring, in case the Negotiations for peace now on foot do not come to a happy issue. But I fear we shall not be able to bring them to reason without the assistance of some Regulars from

Mr

\* A port on the north coast of Santo Domingo.



Mr *Amherst*. I could not prorogue this Assembly on account of the expiration of the Tobacco Law; and as their sitting at the time of the General Court is attended with many and great inconveniencies, instead of proroguing them, I have ordered them to adjourn themselves, that their meeting in spring may be a continuation of the same Session.

The Acts, accounts, and all public papers I have now out of the respective Offices ready to be transmitted to Your Lord<sup>ships</sup> by the first ship which sails for *London*.

We have had the misfortune to lose Mr Commissary *Dawson*<sup>1</sup>, a Gentleman of great worth, probity and many other virtues; by whose death there is a vacancy in the Council. According to my Instructions I send Your Lord<sup>ships</sup> the names of three Gentlemen, all Men of property and much respected in this Country, and every way qualified for the honour of succeeding the late Mr *Dawson* as Councilor. Their merit is so great that I cannot give either the preference, but as I am particularly circumstanced at present, I leave it to your Lord<sup>ships</sup> consideration, whether convenience ought not to take place. By my instructions I am ordered not to act with less than five of the Council, unless in cases of great emergency when I may act with three. By the death of Mr *Dawson*, and the absence of Colonel *Ludwell*<sup>2</sup>, there are about three of the Council within call in cases which require dispatch; viz<sup>t</sup> Mr President *Blair*, and the two Mr *Nelsons*<sup>3</sup>. I have found by experience, that the Gentlemen at a distance, who have great Rivers to cross, cannot be expected to attend Councils except at stated times, as Assemblies and General Courts, as the Gentlemen who live near can do; it is for this reason that I have picked out a Gentleman, who lives within 3 miles of me, and I hope Your Lord<sup>ships</sup> will always consider this convenience in your recommendations to His Majesty, that I may constantly have five Gentlemen near at hand to consult with in cases which requires dispatch. I think the service of the Govern<sup>t</sup> demand it.

The Gentlemen I now name to Your Lord<sup>ships</sup> are: Mr *John Page*<sup>4</sup> who lives in *Gloucester*—Col: *Presley Thorntons* who lives in *Northumberland* and Coll. *Lewis Burwell*<sup>5</sup> who lives in this neck, 3 miles from *Williamsburgh*.

I am with the greatest respect, My Lords,  
Your Lordships most obedient  
and devoted servant

FRAN: FAUQUIER.

LT. GOV. FAUQUIER TO THE LORDS OF TRADE, ETC.

*W<sup>m</sup>sburgh Dec<sup>r</sup> 15<sup>th</sup> 1760.*

My Lords,

I transmit to Your Lord<sup>ships</sup> in this Box the acts passed in the short session of Assembly held in *May* on acct. of the dangers from the *Cherokee Indians*; and the acts passed in the beginning of the present Session which adjourned in order to preserve the Tobacco Law in force till the expiration of the Session; the Journals of the Council and House of Burgesses; the Accounts of the Receiver General, both in regard to the quit rents and 2<sup>d</sup> duty; and the Naval Officers acc<sup>ts</sup>, together with duplicates of accounts formerly sent

<sup>1</sup> Thomas Dawson. He became president of William and Mary and commissary upon the death of James Blair in 1743. He was made a member of the Council in 1756 and died in December 1761.

<sup>2</sup> Philip Ludwell III, of "Green Spring," James City County. He was burgess for Jamestown from 1742 to 1749, and became a member of the Council in 1752. He died in 1767.

<sup>3</sup> William Nelson (1711-1772) became a member of the Council in 1744 and, later, president. He was governor in the interim between Botetourt's death and Dunmore's arrival.

Thomas Nelson (1716-1782) became a member of the Council in 1749. He was for many years secretary of the Council.

<sup>4</sup> John Page, of "North End," Gloucester County. He became a member of the Council in 1768 and died in 1774.

<sup>5</sup> Presley Thornton (1721-1769) of "Northumberland House," Northumberland County. He entered the Council in 1760.

<sup>6</sup> Lewis Burwell, of "King's Mill," James City County. He was long a burgess from his county and was mentioned for the Council but was not appointed. Lewis Burwell, the president of the Council, and acting governor in 1751-2, died earlier.

sent. It was thought improper to send part of the Journals of the present session as it is possible some alterations may be made, when the general Assembly meets on the 5<sup>th</sup> of *March* according to their present adjournement.

I am informed by the Judge of the Admiralty Court here, that he has received directions from that Board to transmit an account of the proceedings on all captures of *Spanish* Vessels brought under his Jurisdiction; on a complaint from the Ambassador from the Court of *Spain* now in *London*. If I may judge of other Colonies by this, the complaint is not groundless for I granted a letter of Marque to Mr *Sprowle* a Merchant of *Norfolk*, for a Privateer who sent in here as prizes two *Spanish* Coasting Vessels, one of which Mr *Sprowle* did not think proper to libel in the Court, but discharged the Captain without making him any satisfaction; the other he libell'd the vessel was cleared, but by means of an appeal hanging over the Captains head, he has refused to make him any satisfaction also, who fell sick and died in the Country. His conduct has appeared to me in so scandalous a light, that I should have put his bond in suit (given for the performance of all things required by his instructions) if I had thought a suit could have been maintained without a complaint regularly lodged.

I wrote to your Lord<sup>ships</sup> a few days since by the *Three Sisters*, Capt<sup>n</sup> *Gordon* bound to *Glasgow*, a duplicate of which letter, and of this I shall send by a *Bristol* ship which is to fail in a week.

I am with the greatest respect

My Lords

Your Lord<sup>ships</sup> most obedient, and  
obliged humble servant

FRAN: FAUQUIER.

LT. GOV. FAUQUIER TO MR. SEC. PITT.

*W<sup>ms</sup>burgh Feb. 2<sup>d</sup> 1761.*

Sir

I have the honour to inform you that one of the four transports with the *Massachusetts* Provincial troops bound from *Louisburgh* to *Boston* by order of Major General *Amherst*, put in here by stress of weather and for want of provisions, with 120 men of those troops on board after having been two months at sea, unable to reach their port. I have given orders for their being subsisted here and victualed for the sea, when the Captain shall think it safe to proceed on his voyage. The Captain says he spoke with one of the others after being parted 30 days in the latitude of about 28. but was again separated by a hard gale before the next morning, and believes they may have got into some port in the *West India* islands, having not met them here as they agreed.

The notification of the loss we have sustained in the death of His late Majesty is not yet arrived, therefore I have taken no steps towards the proclaiming His present Majesty, from whose known virtues we have the greatest reason to expect a continuation of that happiness we have long enjoyed under this royal family.

I am, with the greatest respect and esteem

Sir

Your most obed<sup>t</sup>  
and devoted Serv<sup>t</sup>

FRAN: FAUQUIER.

LT. GOV. FAUQUIER TO BOARD OF TRADE.

*W<sup>ms</sup>burgh Feb<sup>ry</sup> 2 1761.*

My Lords,

I take the opportunity of a Ship for *Bristol* to inform your R<sup>t</sup> Hon<sup>ble</sup> Board, that on the 30<sup>th</sup> ult<sup>o</sup> put in here one of the four transports ordered by Major General *Amherst* to convey the *Massachusetts* provincial Troops from *Louisburgh* to *Boston*, with 120 Men on Board after having been at sea two months without being able to reach their destined port



port. They were in great distrefs for want of Provisions, which I have ordered them to be fupplied with, to victual them for the fea when the Capt<sup>n</sup> fhall think it advifable to proceed on his voyage, as well as to fubfift them here. The Captain fays he fpoke with another of them in the latitude of 28 after being parted 30 days, but that they were again feparated by a hard gale before the next morning, that they then agreed to try to make for the Colony, but not meeting with them here as he expected he hopes they may be got into fome port in the *West Indias*, as the wind then blew hard at North Weft.

I am with the greateft regard

My Lords,

Your Lord<sup>pp</sup>s moft obedient, obliged  
and devoted fervant.

FRAN: FAUQUIER.

LT. GOVR. FAUQUIER TO BOARD OF TRADE.

*W<sup>m</sup>sburgh. Febr<sup>y</sup> 17. 1761.*

My Lords,

In obedience to the Inftuctions and orders of His Majefty and his Privy Council, the Dupl: of which I received with a letter from Your Right Hon<sup>ble</sup> Board on the 4<sup>th</sup> inft: I immediately fummoned the Gentlemen of His Maj<sup>'ty</sup>'s Council to meet on the 11<sup>th</sup> to confult on the proper meafures for proclaiming his Maj<sup>'ty</sup>' in the moft folemn manner. But by the inclemency of the feafon, & the great Rivers my Mefengers had to crofs in their way up, and the Gentlemen to come here, only four who lives pretty near, attended: however, I proceeded to Proclaim His Maj<sup>'ty</sup> here on the 12<sup>th</sup>, attended by the Scholars and Mafters of the College, the Corporation of this City, as many Gentlemen of the Colony and of the Houfe of Burgeffes as I could Collect, and the Gentlemen of the Council prefent. The Proceffion was clofed by the Militia of the City under arms, and the Proclamations of His Maj<sup>'ty</sup>'s right to the Crown of thefe Realms, and for continuing the Officers in their places, till His Maj<sup>'ty</sup>'s further pleafure is made known, were read, amidft the joyful acclamations of the people; at the Capitol, the Market Place, and the College, each proclamation followed by a difcharge of fmall arms. All Gentlemen prefent figned the proclamation. I have fince that folemnity, ordered copies of the two Procl<sup>tns</sup> to be printed, and fent to the Sheriffs of the refpective Counties, ordering them to be read at the Court houfes before the Bench of Juftices and the Gentlemen of the Counties and at the head of the Militia, which I have ordered to be muftered for that purpofe. I have alfo ordered that the perfons prefent fhould be invited to fign the proclamation, and that they fhould be returned to me fo figned. And I have alfo ordered his Maj<sup>'ty</sup>'s order for the alteration of the prayers for the Royal Family to be printed and fent to the Minifter of every parifh in the Colony.

The Affembly meets on the 5<sup>th</sup> of next month according to adjournment, to finifh the bufinefs of the Seffion; which done; I fhall diffolve them and call another affembly.

The flender appearance of Councillors, on this moft folemn and interrefting occafion, will afford your Lord<sup>pp</sup>s fome ground to judge of the great difficulty I labour under to convene a Council to carry on the ordinary bufinefs of Govern<sup>t</sup>; and I hope will be an inducement to your Lord<sup>pp</sup>s to reprefent to His Majefty the expediency of having at leaft five of the Council near at hand, under which number I am inftituted not to act but in cafes of great emergency.

I am with the greateft refpect

My Lords

Your Lord<sup>pp</sup>s moft obedient and  
devoted humble fervant

FRAN: FAUQUIER.

\* George III. George II died in October, 1760, and his grandfon fucceeded him.

LT. GOVR. FAUQUIER TO BOARD OF TRADE.

W<sup>m</sup>sburgh May 12<sup>th</sup> 1761.

My Lords,

The legislature of this Colony request the favour of Your Lord<sup>ps</sup> that you would be pleased to take the proper steps that their inclosed address to His Maj<sup>ty</sup> may be humbly presented to him, as a testimony of their duty and attachment to His sacred person & government.

When the general Assembly had gone through the business of the Country, for which they stood adjourned, I dissolved them, as was expedient under our present circumstances. The Acts and journals of that Session I shall transmit to your Right Hon<sup>ble</sup> Board as soon as I can obtain them from the proper Officers which are always dilatory, for want as they acknowledge of Clerks properly qualified.

On the meeting of the next Assembly, there will be occasion for a new Act to appoint a Treasurer. As I am thoroughly convinced that no alteration can be made in this long established custom, of appointing the speaker of the house of Burgesses, Treasurer for the money raised by the Colony for His Maj<sup>ty</sup>'s and the Colony's use, without a manifest prejudice to His Maj<sup>ty</sup>'s service, I shall be very anxious to know Your Lord<sup>ps</sup> present sentiments on this head. For as the present Gentleman, who now possesses the post of Treasurer, is the darling of the Country, as he well deserves to be for his great integrity, assiduity and ability in business; and as I have always found him the most useful Man to me, in conducting his Majesty's business, recommended to me, through the house of Burgesses, being always ready to promote every thing I have communicated to him; I shall think it adviseable, and indeed my duty to pass a new act to make him Treasurer in the next Session of Assembly, which is to meet on the third of *November* next, unless I shall receive your Lord<sup>ps</sup> directions to the contrary, to which I shall always pay due obedience.

In the last session there was a great struggle in the Lower house about removing the seat of Government nearer the centre of the Colony, whether for any other reason than to ingratiate themselves with their Constituents for the approaching elections, as it was known a dissolution was to take place; I know not, but the reason alleged all appeared to me very trifling. The Bill was indeed lost on their not agreeing on the place though there was a large majority for removing it from this place. However, trifling as the reasons were, as it seems to me a matter of the utmost indifference to the carrying on His Maj<sup>ty</sup>'s affairs where the seat of Govern<sup>t</sup> is placed. I shall in no shape obstruct such a Bill, whenever a like whim prevails, or private interest can make a majority for this measure, unless Your Lord<sup>ps</sup> should see this matter in a different light from that in which it appears to me; and in that case, I hope Your Lord<sup>ps</sup> will favour me with your sentiments & instructions. The present members of His Maj<sup>ty</sup>'s Council, I apprehend would stop such a Bill in their House; and this can always be effected without noise or bustle; due regard being had to the place of residence of gentlemen appointed to be of His Maj<sup>ty</sup>'s Council.

I have put the Regiment of 1000 Men in the pay of this Colony under the Command of Major General *Amherst*, tho' they are actually in the Colony; this I did that he might be sure of their acting in conjunction with Col. *Grant*, who commands in *South Carolina* ag<sup>st</sup> the *Cherokee Indians*, lest any clashing of orders might obstruct the good of the whole, and I have recommended it in the strongest manner to all the parties engaged, to keep up a constant and regular correspondence, that we may all know what each other is doing and all cooperate to the general good. The *Indians* stand in need of some *European* goods, tho' not of that variety, as much as we do; and if we forbear supplying them, as the *French* cannot now supply them, I am of opinion, they may be brought to reason without much bloodshed, which will make against us, on which ever side the advantage may be. If on their side, the consequence is obvious, and if it should be on ours, I am afraid that Revenge, the darling, almost the only passion of *Indians*, will never let them rest till they have satiated themselves with taking blood for blood; which they can always have an opportunity of doing on the back settlements of the Colonies whenever the



the lust of vengeance prompts them. This will be a check to our Colonies extending further westward. We must make it their convenience to live at peace with us, for we have nothing else to trust to.

I have lately received a letter from Gov<sup>r</sup> *Dobbs*, which informed me that his Colony has at last agreed to the raising 500 Men, which are also to be put under the command of Major General *Amherst*. I am in hopes they will be ordered to join our Corps, and then possibly we may attack the Upper *Cherokee* Towns with some success at the time Colonel *Grant's* Corps attacks the lower.

I am with the greatest respect

My Lords

Your Lord<sup>ships</sup>

most obedient and obliged humble servant.

FRAN: FAUQUIER.

LT. GOVR. FAUQUIER TO MR. SEC. PITT.

*W<sup>m</sup>sburgh Aug<sup>t</sup> 29. 1761.*

Sir.

Finding by His Majesty's Order in Council transmitted to me, that the care of the Colonies is restored to your Department, I beg leave to request your favor and protection. I have endeavor'd to follow the great model you have set, by making integrity and candor the measure of my conduct in the administration of His Majesty's affairs in this Colony, committed to my charge, and on that account hope I may flatter myself with your countenance and patronage, to deserve w<sup>ch</sup> shall be my constant study.

I am, with the greatest respect and esteem

Sir

Your most obed<sup>t</sup>

and devoted hum: Serv<sup>t</sup>

FRAN: FAUQUIER.

LIEUT. GOVR. FAUQUIER TO BOARD OF TRADE.

*W<sup>m</sup>sburgh Aug. 29<sup>th</sup> 1761.*

I have deferred writing to Your Lord<sup>ships</sup> till I could get the journals and Acts of the last General Assembly out of the respective Offices; which I always find a very difficult task; inactivity, indolence and an aversion to business prevailing universally thro' this Colony. However I have at last completed this affair, and shall send the box with all the public papers by Capt<sup>n</sup> *Norton* in his Maj<sup>ty's</sup> ship *Assistance*, having lost some sent heretofore by single ships. But I would not lose the opportunity of writing to your Right Hon<sup>ble</sup> Board by Capt<sup>n</sup> *Merris* who proposes to sail three weeks before the Fleet.

In obedience to your Lord<sup>ships</sup> letter of the 17<sup>th</sup> *Febr<sup>y</sup>* which was received by me on the 2<sup>nd</sup> *June*, I immediately consulted His Maj<sup>'ies</sup> Council in relation to the claims of the *Indians* on the Lands on *Green Bryar* and *New River* or *Woods River*, which fall into the *Ohio*; the consideration of this was postponed till the General Court in *October*, when all the Members of the Council usually attend, when all agreements with the *Indians* and all their claims will be enquired into; and in the mean time I was desired to apply to Gov<sup>r</sup> *Hamilton* of *Pennsylvania*, for copies of all treaties and agreements made with the *Indians* inhabiting the Country in the neighborhood of *Fort Pitt*, by Generals *Forbes* and *Stanwix*, while they commanded there, which I have accordingly done; that your Lord<sup>ships</sup> may have all the information and insight into this affair which we may be capable of giving you. And in the mean time no new patents will be granted for those lands, till I receive your Lord<sup>ships</sup> directions thereon.<sup>2</sup>

I have

<sup>1</sup> These are printed in the preface to the Journals of the House of Burgesses for the Assembly of 1761-1765.

<sup>2</sup> The 2nd paragraph of this letter has been printed in the Preface to the Journals of the House of Burgesses for the Assembly of 1761-1765.

I have given orders to His Maj<sup>ty</sup>'s Attorney General in relation to the prosecution of Mr *Sprowle* the owner of the *Privateer*, which took and brought in the two *Spanish* vessels; an account of which I wrote to your Lord<sup>ps</sup>. As it is a matter of great consequence and importance to the Crown, he has desired time to consider the Instructions, the nature of the Bond, and the proceedings and papers relating to the vessel which Mr *Sprowle* did think proper to libel in the Court of Admiralty, of which the Attorney Gen<sup>l</sup> is also Judge, and has called into his assistance the Judge Advocate, and other Gentlemen able practitioners in that Court that he may be assisted with their opinions in a matter of such moment; but he has promised me to make his Report before the sailing of the Fleet at the end of *September*.

Sometime since Gov<sup>r</sup> *Sharpe* of *Maryland* applied to me to know if there was a Commission in this Colony to try Pirates, on the suspicion of there being a Pirate then in the Bay. Upon my making enquiry of the Council, they informed me, that they well remember there was formerly such a Commission directed to the Commander in Chief and the Members of the Council for the time being, to which were added several other Gentlemen of note in the Colony, and that they remembered to have tried a Man for Murder upon that Commission; but upon searching, no such Commission is to be found and it is supposed to be one of the papers consumed when the Capitol was burned; and if it were now in being, would be of no authority under his present Maj<sup>ty</sup>, being granted in a former Reign. As such a Commission may become necessary at the end of the war, I am to intreat the favour of your Lord<sup>ps</sup>, that such a Commission may be renewed, if it should be thought expedient by His Maj<sup>ty</sup> and his most Hon<sup>ble</sup> privy Council.

Major Gen<sup>l</sup> Sir *Jeffery Amherst* communicated a letter to me from your Right Hon<sup>ble</sup> Board requiring him to send in three or four copies of the Acts of this Colony. I have accordingly endeavoured to procure them, but I find it impracticable. As they are not a saleable commodity, the printer takes off no more copies than what are immediately wanted, viz: one for every one of the Council & principal officers, and for every Court of Judicature in the Colony, for which he is paid by a Resolve of general assembly; they are of course out of print; I shall in the Box of papers by the Fleet send you my own set which I believe will be found to be very complete. If such sets of the Laws are wanted in *England*, upon directions from your Lord<sup>ps</sup> for that purpose, I will recommend it to the assembly to order the reprinting a sufficient number, that they may be in readiness on any future occasion.

I have this day received from Sir *Jeffery Amherst* by the Northern Post from *New York* Your Lord<sup>ps</sup> letter of the 28<sup>th</sup> Apr: with the Queries, to which I shall prepare myself from the proper Officers to give your Lord<sup>ps</sup> satisfactory answers, with all the dispatch which the nature of the thing will allow.

I am with the greatest respect

My Lords

Your Lord<sup>ps</sup> most obedient, obliged and  
devoted servant.

FRAN: FAUQUIER.

LIEUT. GOVR. FAUQUIER TO BOARD OF TRADE.

*Williamsburgh. Sept<sup>r</sup> 15. 1761.*

My Lords,

I take the opportunity of the Departure of His Maj<sup>ty</sup>'s Ship *Assistance*, commanded by W<sup>m</sup> *Norton* Esq<sup>re</sup> to transmit to your Lord<sup>ps</sup>, all the acts of the last session of Assembly, the Journals of the Council and of the House of Burgesses, the Receiver Generals accounts with those of the Naval Officers, and the duplicates of those before sent.

It may be necessary for me to explain the motive for the last Clause of Chapter 1<sup>st</sup> intituled: "An Act for the Recruiting and further continuing the Regiments in the service of this Colony, and for other purposes therein mentioned." In the year 1755 there  
was

\* Horatio Sharpe. He saw military service in the West Indies and became governor of Maryland in 1753, succeeding Ogle.



was an Act for laying an additional duty of ten per cent on the importation of Negroes to be paid by the Buyer; in the year 1758 this Act was continued in force for a longer time, than the Act of 1755 provided for; when they determined to take off this additional duty, they by mistake repealed the Act of 1755 which laid the duty but was expired, instead of the Act of 1758 which continued it, so that this Clause became necessary, and was thought not an improper Rider to a money Bill.

Chapter 26<sup>th</sup> intituled "An Act for paying the Burgeffes wages in money for this present session of Assembly" in lieu of the Tobacco allowed them by an Act, which had received his Maj<sup>ty's</sup> assent, is not altogether consistent with my Instructions on that head; but as no person is concerned in that Act but themselves, and nobody's property affected by it but their own, it being a self denying act, and as it has been the constant practice for many years, I have given my assent to it as usual, and hope I shall not incur His Maj<sup>ty's</sup> displeasure for having done so.

Proofs of all the necessary forms relating to notices given in the respective parishes, where the lands lie, which are affected by the private acts, have been regularly produced in the Council and are recorded in the Journal thereof, of which I have given a certificate on the back of each particular act agreeable to my instructions thereon.

I have the honor to transmit to your Lord<sup>ships</sup> the opinion of His Maj<sup>ty's</sup> Attorney General on the Case of the Captain of the privateer belonging to Mr *Sprowle* and the *Spanish* vessel brought in by her, by which your Lord<sup>ships</sup> will observe he is of opinion that a suit can be maintained on the Bond, and that he has ordered out proper writs for the prosecution thereof agreeable to your Lord<sup>ships</sup> directions to me in your letter of the 17<sup>th</sup> Febr<sup>y</sup> last.

I am with great respect

My Lords

Your Lord<sup>ships</sup> most obedient and obliged  
humble servant.

FRAN: FAUQUIER.

LT. GOVR. FAUQUIER TO BOARD OF TRADE.

*New York Sept<sup>r</sup> 27<sup>th</sup> 1761.*

My Lords,

I think it my duty to take the opportunity of a packet which Sir *Jeffrey Amherst* proposes to send to *England* in a few days, to acquaint your Lord<sup>ships</sup> of my being in this City. I cannot say absolutely that a want of health made me take the benefit allowed me by His Majesty's Royal Instr<sup>tns</sup> of leaving my Colony for a short time to recover it, tho' I have not been perfectly well for near fifteen months past; but as I have thought it for the advantage of His Majesty's Colonies in general, as well of *Virginia* in particular that I should have a conference with Sir *Jeffery Amherst* on the subject of the *Cherokee* affairs before he left this continent, I have made use of the liberty granted me; In which I hope, I have not done wrong as the time I shall be out of the Colony will be under a Month, being determined to return before the first day of the General Court on the 10. Oct<sup>r</sup>.

The Men we raised last spring to attack the upper *Cherokee* Towns in conjunction with Troops of *North Carolina*; while Col. *Grant* attack'd the lower Towns with the Troops of *Great Britain* and of *South Carolina*, have not been yet joined by a single Man from *N<sup>o</sup> Carolina*. From this disappointment, and from some difficulties Col. *Byrd* complains of in the being supply'd with provisions from the Contractors, has prevented him from penetrating into their Country, agreeable to the plan proposed, & orders given by the General.

But by the chastisement given to the *Cherokees* by Col. *Grant*, and by our Troops hovering over the upper Towns, I am in hopes a peace with those *Indians* is near being concluded

concluded by L<sup>t</sup> Gov<sup>r</sup> *Bull* at *Charles Town*, the news of w<sup>ch</sup> I expect to meet on my arrival in *Williamsburgh* by the return of a Messenger I have sent to L<sup>t</sup> Gov<sup>r</sup> *Bull*.

I am with the greatest respect

My Lords

Your Lord<sup>ships</sup> most obedient and devoted  
humble servant.

FRAN: FAUQUIER.

LT. GOVR. FAUQUIER TO BOARD OF TRADE.

*W<sup>m</sup>sburgh Oâ<sup>r</sup> 12. 1761.*

My Lords,

As the Fleet is not yet failed, the wind not being fair for them to go out of the Capes, I think it my duty not to let slip the opportunity of informing Your R<sup>t</sup> Hon<sup>ble</sup> Board, that after having settled some affairs with Sir *Jeffery Amherst*, relating to this Colony; and obtained of Gov<sup>r</sup> *Hamilton* all the satisfaction he could give me concerning the agreements made with *Indians* about settling of Lands, I returned into this Colony on the 9<sup>th</sup> instant and held the General Court on the 10<sup>th</sup> according to Law, so that no business has been delayed on account of my short absence.

I am with the greatest Respect

My Lords

Your Lord<sup>ships</sup> most obedient and  
devoted servant.

FRAN: FAUQUIER.

LETTER FROM JAMES ABERCROMBY TO THE COUNCIL OF VIRGINIA.

The original is in the Virginia State Library.

*London March 25<sup>th</sup> 1759*

Honourable Gentlemen

By His Honour the Leut Governor, you will be made acquainted, with M<sup>r</sup> *Leheup*'s<sup>1</sup> resignation, and on this occasion, let the Zeal that I have hitherto occasionally shewn, in your Service, new recommend me, to the continuance thereof, as Suffessor to M<sup>r</sup> *Leheup* and whatever Terms, the Leut Governor & you, shall prescribe to me, in your Service I shall acquiesce in.

I must do you the Justice, to let you know, the agreeable reception, that your address to his Majesty, and the whole of your public Proceedings, concerning the present controversy<sup>2</sup>, has hitherto met with, and such must ever be the reception, where public or private business is conducted with a due consistency, and with Candor, Temper, & Moderation;

Taking example from the disposition that you have shewn, for accommodating matters, I should have most sincerely & heartily, attempted, to have compromised these differences, on this side of the water, had there been the least opportunity left open for this purpose, but after having given the case in all its circumstances a most attentive deliberation, I can see no resource but in his Majesty's Judgment thereupon, and that, we shall ever have. You will, I hope, forgive, this my general address to you on the present occasion—an accident to my right hand, disables me from writing in a more particular manner; I beg leave therefore to conclude with returning you my thanks, for your acknowledgment of my past Services, & believe me to be on all occasions with great regard

Gentlemen

Your most obedt servant

JAS. ABERCROMBY in

*Craven Street*

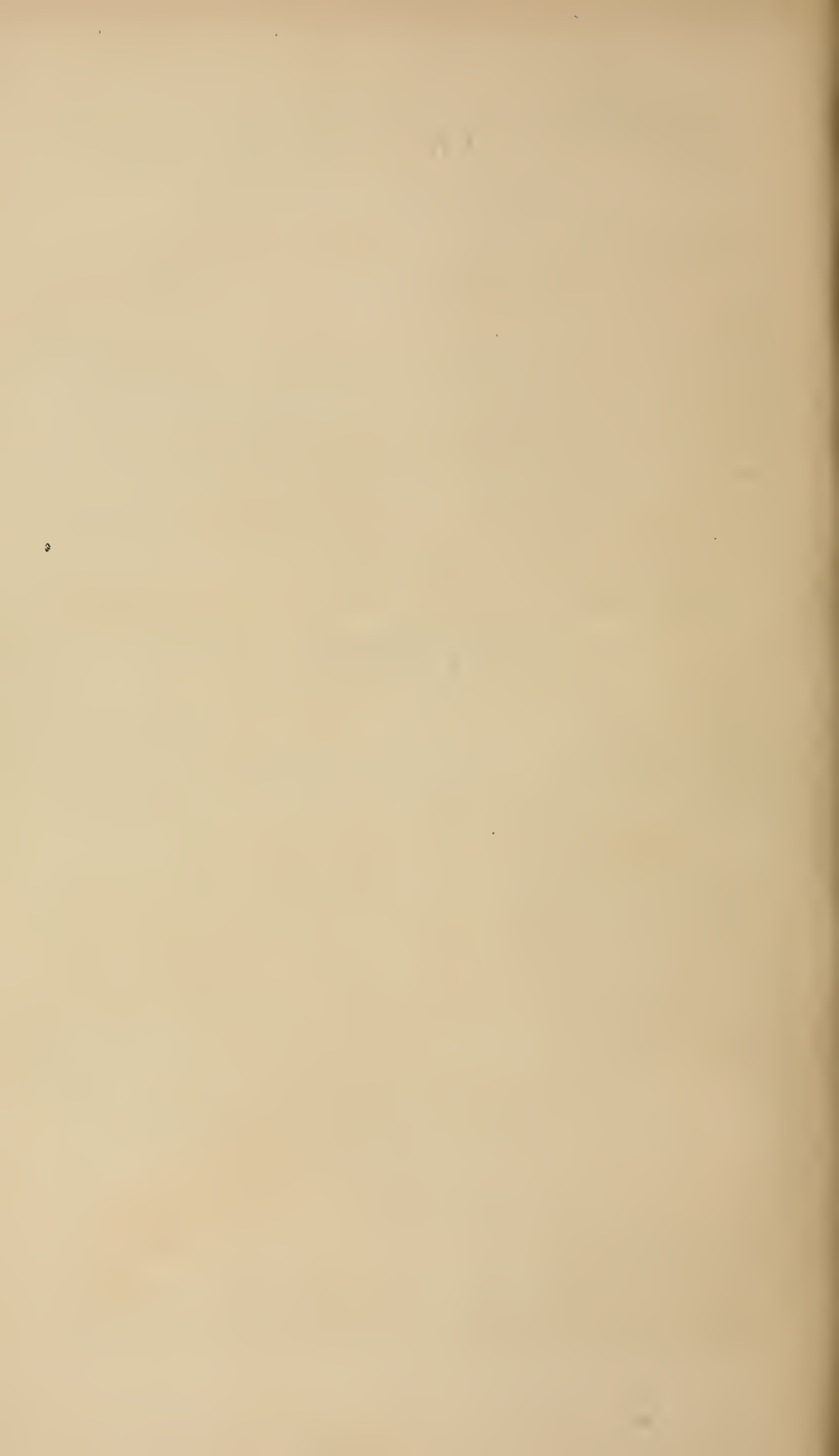
To the Honob<sup>l</sup> the Members of his Majesty's Council in *Virginia*.

1. Peter Le Heup, sometime clerk of the Privy Council, and Abercromby's predecessor as agent in England for the governor and Council of Virginia.

2. Controversy with the clergy as to the payment of their salaries in tobacco.



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